

ANDREW MACKENZIE
MIKE PAVLAKIS
JOAN C. WRIGHT
PATRICK V. FAGAN
KAREN A. PETERSON
JAMES R. CAVILIA
CHRIS MACKENZIE
DAWN ELLERBROCK

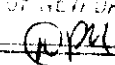


ALLISON MACKENZIE
PAVLAKIS · WRIGHT & FAGAN
LTD
ATTORNEYS AND COUNSELORS AT LAW

RYAN T. RUSSELL
JENNIFER M. MAHE
ALICIA G. JOHNSON
JOEL W. LOCKE

MIKE SOUMBENIOTIS
(1932-1997)
GEORGE V. ALLISON
OF COUNSEL

December 9, 2008

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
DEC 22 2008	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY: 	DEPUTY

VIA HAND DELIVERY

Leonard Hamer
Northern Nevada Urgent Care Partnership
212 W. Ann Street
Carson City, NV 89703

United States of America vs. Walker River Irrigation District

Dear Leonard:

Pursuant to your phone conversation today with our office, please sign the enclosed Notice of Appearance and Intent to Participate (which we have tagged), then mail the original as follows:

Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

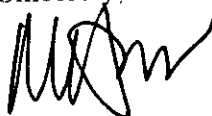
also mail a copy to:

Susan L. Schneider, Attorney for the United State of America
United States Department of Justice
Environment and Natural Resources Division
1961 Stout Street, 8th Floor
Denver, CO 80294

Be sure to keep a copy for your records.

Finally, you may also sign the Non-Waiver Agreement, initialing the interlineations we have made, and send it to your insurer, retaining a copy for your file.

Please call if you have any questions.

Sincerely,

Mike Pavlakis

MP/gv
encl.

American Economy Insurance Company
Indianapolis, IN 46204
PO Box 515097
Los Angeles, ca 90051-5097

Mailing Address:
PO Box 515097
Los Angeles, CA 90051-5097

Phone: (317) 262-7481
(317) 578-0837
Fax: (888) 268-8840



December 4, 2008

Mr. Len Hamer
Northern Nevada Urgent Care Partnership
212 W Ann St
Carson City, NV 89703

Insured Name: Northern Nevada Urgent Care Partnership
Policy Number: 02BO911648
Loss Date: November 10, 2008
Claim Number: 499739383015

Dear Mr. Hamer:

Thank you for taking time out to speak with me today as to this matter. We discussed the general issues behind this litigation; it is probably a "sign of the times" as water resources become scarce or overtaxed.

Be that as it may, please be advised that we are in receipt of a copy of the suit, which you indicate was mailed to you, initially. You advised today that you received personal service of the suit on this date, as registered agent of the partnership.

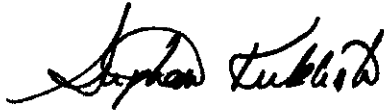
As we discussed, there is question as to whether or not this policy or policies issued to the Northern Nevada Urgent Care Partnership by this company. Generally, we question that the allegations of this matter qualify as an "occurrence", out of which arises "property damage", both as defined within those policies. There may be other reasons as well, however, it is incumbent upon us to mount an investigation in order to evaluate our obligation to defend or indemnify Northern Nevada Urgent Care Partnership in this matter. To that end, we enclose what is termed a "Non-Waiver Agreement" that we ask an individual, as authorized by the partnership, to execute. The agreement is meant to confirm that both insurance carrier and insured are aware of potential issues with coverage, and that neither party waives any rights it may hold under said policies, in our continuing investigation and review. We will, of course, move as quickly as possible to determine the salient facts and issues, and to provide you with a determination of coverage under the policy.

At this time, we are not in a position, given the questions noted, to provide counsel under the policy. We do strongly suggest that you engage counsel for the Partnership to protect their interest with any responsive pleading that might be time sensitive. If, after investigation and review, we do afford a defense under the policy, we will reimburse for reasonable defense-related activity engaged in by counsel, on the partnership's behalf.

A copy of this letter will be forward to you by regular mail. As agreed, I also attach this letter to an email, along with the Non-Waiver Agreement, and further requests/instruction.

Please do not hesitate to contact me, in the event you have any question or concern.

Sincerely,



Stephan Kuklish
Indianapolis
American Economy Insurance Company
(317) 262-7481
(317) 578-0837 Fax: (888) 268-8840
stekuk@safeco.com

CC: NEVADA INSURANCE AGENCY CO

Encl: Non-Waiver Agreement

Safeco Insurance

NON-WAIVER AGREEMENT Claim# 49939383015

It is hereby understood and agreed by and between American Economy Insurance and the parties designated as "Insured" that no action heretofore or hereafter taken by said company shall be construed as a waiver of the right, if any, of the said company to ^{let} ~~deny~~ ^{provide coverage} liability under any policy of insurance which is claimed to cover a lawsuit and counteractions, filed in the United States District Court, for the District of Nevada, C-125-ECR, entitled:

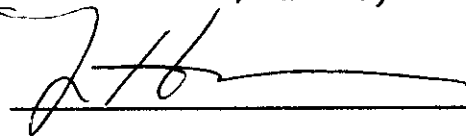
United States of America, Plaintiff, Walker River Paiute Tribe, Plaintiff-Intervenor vs. Walker River Irrigation District, a corporation, et al, Defendants

Walker River Paiute Tribe, Counterclaimant, United States of America, Counterclaimant vs. Walker river Irrigation District, Counter Defendant, State of Nevada, Intervenor-Counterdefendant, and Northern Nevada Urgent Care LP, et al

It is understood that both parties desire the matter to be ^{reasonably} fully and completely investigated, and that no demand made or act, step or measure ^{let} taken, either before or after the date hereof, in connection with the matter (or any claim arising therefrom) by said company or any of its agents or representatives shall be claimed or deemed to be a waiver upon the part of said company of any of the terms or conditions of its policy or any of the rights of said company thereunder.

It is also understood that by the execution of this agreement, the parties designated as "Insured" do not waive any right under the said policy.

EXECUTED at CARSON CITY, NV, this 15th day of DECEMBER 2008



For Northern Nevada Urgent Care LP - "Insured"

LEONARD HAMER

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

4. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

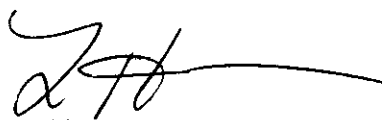
1 Phone Number:

2 Fax Number:

3 E-mail Address:

4
5 PLEASE NOTE: Attorneys are reminded that they are required to comply with the
6 electronic filing procedures of the U.S. District Court for District of Nevada.

7 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
8 hac vice, or who are authorized to represent the United States and its agencies, shall
9 register as Filing Users of the System. Registration shall be in the form prescribed by
10 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
11 Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

12
13 
(Signature)

14
15 LEONARD HAMER
16 (Printed or typed Name)

17
18 Northern Nevada Urgent Care
19 (Entity, if any, on whose
20 behalf you are appearing)
21 212 W. Ann Street
22 Carson City, NV 89703
(Address)
23 (775) 885-2211 ext. 103
(Telephone number)

Copies of your NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE shall also be mailed to^{1/}:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
1961 Stout Street, 8th Floor
Denver, Colorado 80294

The plaintiff, the United States of America, has filed a FIRST AMENDED COUNTERCLAIM in the United States District Court for the District of Nevada, in an action entitled *United States v. Walker River Irrigation District*. The plaintiff-intervenor, Walker River Paiute Tribe, has also filed a FIRST AMENDED COUNTERCLAIM in the same case. A copy of each FIRST AMENDED COUNTERCLAIM is attached to this notice. The documents have been filed in the District Court and have been assigned docket number In Equity C-125, Subfile C-125-B. Also attached is the CASE MANAGEMENT ORDER (Apr. 18, 2000) governing this phase of the case.

The materials in this package include seven [7] documents that you should review; please note that two of these documents address the sale or other conveyance of your water rights or if you believe that you should not be a party to this lawsuit. These documents are listed in Attachment A to this Notice in Lieu of Summons, and are explained below. **Please read these materials carefully, as they are important to your legal rights and legal obligations.**

There are also two Orders included herein that require you to provide certain information to the Court and the United States in two different circumstances. First, the Court anticipates use of the form attached to the ORDER – DISCLAIMER OF INTEREST in connection with the initial service upon you of the documents in this package if you have no interest in any water right within any of the nine categories of PARAGRAPH 3 of the CASE MANAGEMENT ORDER (Apr. 18, 2000). If you contend that you have been included in this litigation in error because you have no such interest, you should follow the directions in the ORDER – DISCLAIMER OF INTEREST and provide the information and documents requested. Following receipt of any DISCLAIMERS OF INTEREST IN WATER RIGHTS AND NOTICE OF RELATED INFORMATION AND DOCUMENTATION SUPPORTING DISCLAIMER and the accompanying information and documents, plaintiffs will review the materials received and, if appropriate, seek the Court's concurrence in omitting you from this

^{1/}The Court has omitted the requirement in the Case Management Order to Mail copies to the Walker River Paiute Tribe, the Walker River Irrigation District, and the States of Nevada and California.

case.

Second, the Court intends use of the form attached to the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS for each and every sale or other conveyance of the ownership of all or a portion of any water right within any of the nine categories set forth in PARAGRAPH 3 of the CASE MANAGEMENT ORDER (Apr. 18, 2000). This Order requires you to notify the Court if you transfer any portion of your water right to another person or entity. That notice must include identification of the water right subject to the transfer, the nature of the transfer, and the name and address of the recipient of the water right. You should review this Order carefully and retain copies of it and the attached form entitled NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT for your use.

Lance Wilson, Clerk of Court

Dated: December 3, 2008


Brenda Gorbet, Deputy Clerk of the Court



[Seal of District Court]

This Notice is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure and the CASE MANAGEMENT ORDER (Apr. 18, 2000).

Attachment A

Enclosed are the following seven [7] documents:

1. *Notice in Lieu of Summons: That is the title of this document (see title at the top of this page). Please begin your review with this 5-page double-sided document.*
2. *Notice of Appearance and Intent to Participate: (This document is single-sided.) You are hereby summoned and required to file this Notice of Appearance and Intent to Participate with the United States District Court for the District of Nevada within 60 days after service upon you of the enclosed First Amended Counterclaim of the United States of America and the First Amended Counterclaim of the Walker River Paiute Tribe. You must file the original with the District Court and send a copy of the document to each of the attorneys identified above. Please keep a copy of the document for your records.*
3. *First Amended Counterclaim of the United States of America (July 31, 1997). (This document is double-sided.)*
4. *First Amended Counterclaim of the Walker River Paiute Tribe (July 31, 1997). (This document is double-sided.)*
5. *Case Management Order (Apr. 18, 2000). (This document is double-sided.)*
6. *Order and Form -- Disclaimer of Interest: This Order requires you to notify the Court and the United States if you contend that you have been included in this litigation in error because you have no interest in any water right within any of the nine categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000). If you contend that you have been included in this litigation in error, the Order -- Disclaimer of Interest also requires you to provide certain information and documents related to the transfer of water rights that would be part of this litigation. If you disclaim any water right in this litigation, you must comply with the Order -- Disclaimer of Interest, and you may use the form entitled Disclaimer of Interest in Water Rights and Notice of Related Information and Documentation Supporting Disclaimer, which is attached to the Order -- Disclaimer of Interest, to provide this information. (The Order -- Disclaimer of Interest is double-sided. The form Disclaimer of Interest in Water Rights and Notice of Related Information and Documentation Supporting Disclaimer is single-sided.) Please note that you are a Defendant if you are a domestic user of groundwater, as described further in ¶ 3.c of the enclosed CASE MANAGEMENT ORDER.*
7. *Order and Form Regarding Changes in Ownership of Water Rights: This Order requires you to notify the Court and the United States whenever during the course of this litigation you sell or otherwise convey ownership of all or a portion of any water right within any of the nine categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000). If you sell or otherwise convey any water right in*

this litigation, you must comply with the Order Regarding Changes in Ownership of Water Rights, and may use the form entitled Notice of Change of Ownership of Water Right, which is attached to the Order Regarding Changes in Ownership of Water Rights, to provide this information. You should retain this Order and the attached form for use whenever appropriate during the course of this litigation. You may also wish to make additional copies of the form attached to the Order for use if you sell or otherwise convey ownership of applicable water rights on more than one occasion during the course of this litigation. You should note that this Order also requires you to provide certain information and documents related to the transfer of water rights. (The Order Regarding Changes in Ownership of Water Rights is double-sided. The form Notice of Change of Ownership of Water Right is single-sided.)

FILED

97 DEC 31 03:23:07

LANDRETH

BY

CLERK

1 LOIS J. SCHIFFER
2 Assistant Attorney General
3 United States Department of Justice
4 Environment and Natural Resources Division

5 KATHRYN E. LANDRETH
6 United States Attorney
7 100 West Liberty Street, Suite 600
8 Reno, Nevada 89501
9 Telephone: 702 784-5439

10 John P. Lange
11 United States Department of Justice
12 Environment & Natural Resources Division
13 Indian Resources Section
14 999 18th Street, Suite 945
15 Denver, Colorado 80202
16 Telephone: 303 312-7312

17 Hank Meshorer
18 Special Litigation Counsel
19 United States Department of Justice
20 Environment & Natural Resources Division
21 P. O. Box 7397
22 Ben Franklin Station
23 Washington, D.C. 20044-7397
24 Telephone: 202-616-9643

25 Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

26 UNITED STATES OF AMERICA,

27 Plaintiff,

28 WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

WALKER RIVER PAIUTE TRIBE,

Counterclaimant,

UNITED STATES OF AMERICA,

Counterclaimant,

In Equity C-125-ECR

Subfile C-125-B

1 vs.
2 WALKER RIVER IRRIGATION DISTRICT,

3 Counterdefendant,
4

5 STATE OF NEVADA,
6

7 Intervenor-Counterdefendant,
8

9 Acciari, Dennis; Acciari, Linda; Acciari Ranch Supply, Inc.;
10 Acosta, Alexis R; Acosta, Joe W; Adams, Gregory B; Adams,
11 Richard T; Ag Heritage Development; Aguiar, George B;
12 Aguiar, Janiel M; Aiazzi, Cynthia J; Aiazzi, Estelle M; Aiazzi,
13 Gary R; Aiazzi, Pete A; Albee, Florence M; Albee, William E;
14 Albright, Samuel & Cheryle Family Trust Agreement;
15 Allen, Catherine M; Allen, Doris J; Allred,
16 Evan L; Alonzo, Rose M; Anaconda Minerals Co.; Anderson,
17 Brian D; Anker, Alton; Anker, Susan; Annett's Mono Village;
18 Antelope Valley Mutual Water Co.; Arcularius, Lorna Trust
19 Agreement; Arimetco, Inc. (International); Armstrong Family
20 Trust; Arrache 1990 Family Trust; Arrighi, Deborah F;
21 Arrighi, Mark N; Arsenio Family Trust; Ash, Kimberly L;
22 Atlantic Richfield Co. [ARCO]; Attaway, C & J Family Trust;
23 Bacon, Milton E, Jr. 1992 Trust; Bacon, Milton E; Bakker,
24 Douglas A; Bakker, Lora L; Balaam, Donald A; Balaam, Olga M;
25 Baptist 1999 Family Trust; Bar Keystone Ranch, a General
26 Partnership; Barber, Harriet Revocable Trust; Bartlett, Linda
27 Lodato; Batchelder, Josephine Shipley and Fred C 1983 Family
28 Trust; Bath, Barbara C; Bath, Ronald J; Batjer, Cameron M
Family Trust; Batjer, Christina; Batjer, Marybel; Bauer, Clyne
P. Trust, 1995; Beach, Donna Costa; Beckius, Kathleen M;
Bein, C Ellen; Bein, Richard H; Bell, Brian William; Bently
Family Limited Partnership; Berrington, Gary M; Berrington,
Susan P; Bitler, Ken & Peggy Family Trust; Blackford, Kathy S;
Blair, Ellen C; Blakely Family Living Trust; Blanchard 1988
Living Trust; Blasco, James M; Blasco, James M Family
Ltd. Partnership; Blasco, Pamela A; Bledsoe, Alan A; Bledsoe,
Carol A; Bobrick, Ruth E; Bobrick, Thomas Trust; Bobzien,
Dolores J; Bodenstein, Irene M; Bodenstein, J. Kirk; Boggs,
Pamela S; Boggs, Williams S; Bohlin, Eleanor M; Bohlin,
Vera J; Bohlin, William B; Bohlin, William L; Bolt, Billy F;

1 Bolton, Charles V, III; Bolton, Kelly; Bolton-Rose Surviving Trust; Booth, Karen; Borsini, Dale;
 2 Borsini, Norma J; Borsini Ranch, Inc.; Botelho, Jacquelyn J; Botelho, William D; Bozsik, Albert
 3 Pauline; Break-A-Heart, LLC; Brethauer, Clarence D; Brethauer, Janet R; Bromley Family Trust;
 4 Brönneke, Samuel P Family Trust; Brown, Beverly E; Brown, Darrol J; Brown, Joel Wesley;
 5 Brown, Lois L; Brown, Norman D, Inc.; Brown, Ross; Brown, Sandra Gail; Bryan, Elizabeth J;
 6 Bryan, John L; Bryan, Vernon F, Inc.; Burchett, Joseph L; Burnett, Kenneth R; Burnett, Sharon
 7 L; Busch, Brett Alec; Bush, Jack E; Buster, David C; Buster, Gayle L; Butterly, Ellen; Butler,
 8 Jeri; Bye, Jean Leslie; C.E.A.S. Co., Inc.; Cabral, Joseph P & Norma J 2002 Revoc. Lvg. Trust
 9 Agreement; Caldwell, Charles S & Lura Batjer Trust; California Dept. of Fish & Game; Callaham,
 10 Sandra J; Calvest Associates; Cantrall, Nolan and Nancy Family Trust Agreement; Capurro, Janice
 11 E Trust; Capurro, Robert S & Suzanne Family Trust; Carey, Diane; Carey, John L; Carlin, Paul
 12 Kent; Carlin, Shelley; Carlini, Tod F Trust; Carlson, Bill Eric & Sharon Marie Trust Agreement;
 13 Carlson, Bill Eric; Carlson, Sharon Marie; Carpenter Living Trust; Carpenter Nevada, LLC;
 14 Carrasco, Elizabeth; Carrasco, Ray W; Casey, Claudia C; Casey, Michael A; Cashell Investments,
 15 LLC; Casino West, Inc.; Cavell, Richard J; Cefalu John N; Cefalu, Judith A; Centennial
 16 Livestock; Chase, Helen B; Chase, Irving Maxon Living Trust; Chase, Russell E; Chevron
 17 Resources; Chichester, Dwain; Chichester, et al.; Chichester Ranches; Chichester, Rhoda J;
 18 Chichester, Robert L., Jr.; Chichester, Ross J; Chico, James V, Jr.; Chico, Jennifer; Chilcote,
 19 David G; Chisum, Inc.; Christensen 1989 Trust; Christof, Brian S; Cid, Elaine C; Circle Bar N
 20 Ranch, LLC; Circle Bar N Ranch, A Nevada Partnership; Clark Family Trust; Clark, Donna K;
 21 Clark, Patricia D; Clements Family Trust; Cliff, Donald A; Cliff, Norman E; Cline, Caroline K;
 22 Cline, Jack R; Collins, Judy; Compston Family 1982 Trust; Compston Joint Revocable Inter Vios
 23 Trust; Congdon, Peter F; Congdon, Stacy Loretz-; Cook, Gary; Cook, Margaret; Cooper, John;
 24 Cooper, Robert; Costa Ranch, LP; Cox, Kim K.; Crandall, Susan Jill; Cremetti, William G Trust;
 25 Crosby, Fred; Crosby, Judy; Crystal Clear Water Co., Inc.; Cummings, Marvin O; Cummings,
 26 Milena; Curtis Family Trust; D & S L I, LLC; D & S Waste Removal, Inc.; Dane, Frank R; Dane,
 27 Susan M; Davis, Diana; Davis Family Trust; Davis, Garry E & Dianne M Family Trust; Day,
 28 Sandra K; Day, Stephen R; Day's Desert Creek Ltd.; DeChambeau, Susannah W; Dechambeau,
 Scott I; Del Porto, Daniel E; Del Porto, Cherryl Ann; Del Porto, Julie A; Denton, Joseph W;
 Denton, Linda M; Desert Lake Campground; Desert Pearl Farms; Diehl Family 1999 Revocable
 Living Trust; Diekmann Trust Agreement; Dinneen Family 1997 Trust; Dockum, Don M. &
 Cheryl F; Domenici, Joseph & Gladys Family Trust; Domenici-Reese, Lona Marie; Donovan,
 Dwight; Donovan, Heather; Douglas County; Topaz Lake Park, Topaz Ranch Estates Park, Topaz
 Ranch Estates GID; Douglas,
 Debra A Draper-; Douglas, Steven M; Dressler, DeVere; Dressler, Milton; Dressler, Roxanne;
 Dressler, Tonja; Dreyer, Joan; Dreyer, Roland; Dunn, Daniel D; Dykes Family Trust; E.L.W.
 Ranches, Inc.; Eaton, Joan C; Eaton, Kenneth A; Edwards, Shelley; Ehly, Desiree; Ehly, George;
 Ehrhart, Janice O; Ehrhart, Thomas A; Eller, Colby D; Eller, Julia C; Elordi, Deva; Emens,
 Annette M; Emens, Theodore A; Englert, Stephen; Estrada Family Trust; Evangelista, Gerardo;
 Evangelista, Laurie; Everett, Virginia M; Ewert Family 1995 Trust; F & B Trust; F.I.M.
 Corporation; Fairbanks, Robert L. [Duffer]; Fannin, Glenn D; Fannin, Tracey L; Faria, Edwin F;

1 Faria, Marty L; Farias, Carmen; Farias, Harold W; Farias, LLC; Farias Wheel Ranch, Inc.;
2 Fawcett, Lawrence Edward; Fenili, Peter A; Fenili, Veronica Jean; Fesko Family Trust; Fine,
3 James Samuel; Fine, Jill Marie; First Union National Bank; Fitzpatrick, Debra; Fitzpatrick, Ted;
4 Five (5) C's Cottonwood Ranch, LLC; Fleck, Brenda L; Fleck, Dewey A; Fletcher, Marie L;
5 Fletcher, Michael S; Fletcher, Ruth; Fletcher, Teri L; Fletcher, Wesley L; Floyd, Betty; Floyd,
6 Frank; Flying A Ranch, a Nevada Limited Partnership; Flying A Limited Partnership; Forrester,
7 Pamela A; Forrester, Wendell B; Foss, Thomas A; Four G Corporation; Fousekis, James;
8 Fousekis, Susana; Frade Ranch, Inc.; Franklin, Carl; Franklin, D Camille; Fraser, Betty; Fraser
9 Family Trust; Fraser, George; Freitas, Barbara L; Freitas, Elizabeth; Freitas, Maurice H; Frey,
10 Kerry M; Fry, Deborah; Fry, Jill Christine; Fry, Michael; Fry, Paul J III; Fulstone, David H Co.;
11 Fulstone, F. M., Inc.; Fulstone, James H; Fulstone, R. N. Co.; Fulstone, Steven A 1989 Trust;
12 Funk Trust; G Lazy B Partnership; Gable, Don Ray; Gansberg, Chris H, Jr.; Gansberg, Faye E;
13 Garcia, Jeffrey M; Garcia, Kealoha; Garms Estate; Garms, Gary J. & Toni J. Revocable
14 Community Property Trust; Garrett, Robert A; Gattuso, Kim I; Gerbig, Arden; Gerbig, Evilo J;
15 Gerrard, John R Trust; Gill, Joseph P; Giodo, Joseph A Revocable Trust; Giorgi, Donald; Giorgi,
16 Lynda Hunewill; Giorgi, Ugo & Florence A Family Trust; Gisler, Otto A Trust; Glasner, Grover
17 F; Glass, Daniel G; Glass, Patricia J; Glassburn, Ted; Glassburn Theresa; Gleason, James G;
18 Gleason, Marla D; Glock, Audrey; Glock, Ernest; Godde, Forest G. Trust; Goffinet, Cheryl L;
19 Goffinet, Lonnie K; Gordon Revocable Trust; Goss, Ronald W; Goss, Sandra A; Graham, Gene
20 G; Graham, Margaret F; Granata, Helen C Estate; Gray, Mary Family Trust Agreement; Grayot,
21 Margaret R; Greenfield Mobile Home Park, NV LLC; Greggersen, Marlene J; Greggersen, Paul
22 A; Gregory Family Trust; Grosso, Angelo; Grosso, David; Grosso, Ernest & Maxine Jo 2000 Family
23 Trust; Grosso, Nancy; Guild, Rolene Pitt Living Trust; Gutierrez, Teresa M; Guy, Willis H; Haas,
24 Pamela J; Hall, Craig & Kris J Family Revocable Living Trust; Hall Family Trust Agreement;
25 Hall, Herbert; Hall, Rachele M; Hammack, Raymond B; Hammack, Sonya; Hammond, Judith
26 Revocable Living Trust; Hanson, Leona; Hardrock Mining Co.; Hardy, Karen Lund; Hargus, John
27 and Blinn, Adah M. Trust; Harrison, Ben & Linda Trust; Harrison, John W; Harrison, Sandra L;
28 Hawkins, Margaret; Hawkins, Terry; Hawkins, Patricia L, MD; Hawthorne, Town of; Hawthorne
Utilities; Hawthorne Water System; Hayes, Deborah A; Hayes, Jonathan C; Hefner, Marcia E;
Hefner, Tommy M; Heimerman, John/Leona Family Trust; Helmuth, George; Helmuth, Pamela
; Hemsath, Richard Scott; Henderson, Robert B; Henderson, Rose M; Henker Family Trust
Agreement; Hernandez, Audelia; Hernandez, Isidro V; Hervin, Kurt W; Hervin, Patricia; Hervin,
Reiko; Hill, B Roxann; Hill, Jon A; Hilton Family Trust; Hiskett, Carl William; Hiskett, Phyllis
Ann; Hitchcock, Cindy L; Hitchcock, Gerald; Holbrook, Constance Y; Holbrook, Richard H Sr.;
Holbrook, Richard H & Constance Y Trust; Holbrook Station RV and Mobile Home Park;
Holmes, Doris Trust; Homestretch Geothermal, LLC; Huggans, Jan K; Hume, Jayne E; Hume,
Michael T; Hunewill Enterprises, LLC; Hunewill, Harvey E & Phyllis P Trust; Hunewill, Janet
Bliss; Hunewill Land & Livestock Co.; Hunewill, Phyllis; Hunewill, Stanley L; Huntley, Mark
A; Hutchins, Karen; Hutchins, Leland; Hutchison Family Revocable Living Trust; Huuha, Paul
A; Hyne, Frances L; Hyne, Marshall; Ingerson, Larry; Ingerson, Trudy; Ireland, Mariann;
Ireland, Ward W; Ithurburu, John; Ithurburu, Marilyn; Jacobus, Samantha S; Jakobson Investment
Corp.; Jason Corporation; Jenkins, Joyce; Jenkins, Larry D; Jensen, Chris; Jensen, Jack E;

1 Jensen, M O; Jesch Family Trust; Johnson, Joseph W; Jones, Casey M; Jones, Mary C; Jones
2 Family Foundation, Inc.; Julian, Jay & Darlene Family Trust; Jurica, Mary E; K & K Water, Inc.;
3 Kahn Family Trust of 1993; Kelley, Dr. Donald; Kennedy, Dale & Cleo Family Trust; King,
4 James Allen; King, Judith R; Knoche, Anne Tweet; Knoche, Craig F; Kottke Living Trust; Kraft
5 Family Trust; Kraft, Kevin; L & M Family Limited Partnership; Lamoreaux, Frances Trust;
6 Landolt, Beverly J; Landolt, Joseph G; Landolt, Joseph G & Beverly J.Trust; Langner, Donald H;
7 Langner, Lorraine; Langner Family Trust; Lantana Ranch Family Limited Partnership; Lapham,
8 Joanna M; Lapham, Willis H; Lawson, Nettie E; Lawson, Ronnie D, Sr.; Lazy S Lodge; Lee Ivey
9 Ranch, Inc.; Lee, James; Lee, Linda P; Lee, Thomas W; Lee, Wallace J; Lehmer, Debra S;
10 Lehmer, Steven M; Leinassar, Alan S; Leinassar, Marianne; LekumberryFamily 2001 Trust;
11 Leland, Anne M; Leland, Britt M; Lewis, Rob Edward; Ligtenberg Family Trust; Lind, Craig R;
12 Lind, Sandra; Linscott, Marjorie M.; Linsenmier, Jack L; Linsenmier, Wilma H; Little, David M
13 Family Trust Agreement; Little, Bonnie; Little, David Jr.; Lloyd, Thomas L; Loll, Daniel T; Loll,
14 Harry S; Loll, John C; Loll, Margaret M; Loll, Phillip G; Loll, Raymond C; Lommori, Joseph J
15 and Bessie J Trust; Lommori, Julio & Delia Family Trust; Lommori, Karen I; Lommori, Kenny
16 D; Lommori, Natale, Jr.; Lommori, Scott D & Leslie Family Trust; Ludel, Donna Lee; Ludel,
17 Samuel Moses; Lund, Hans N & Marie N Trust; Lyon County School District; Lyon County
18 Courthouse; Lyon County Public Works; Lyon County, Elm Tree Cemetery; Lyon, County of;
19 Lyon County Fairgrounds; Lyon County Cemetery II; Mabe, James A; Mabe, Sandra R;
20 MacBride, John; MacBride, Pam A; Madden Family Trust; Madden, Gerald; Madden, Lois;
21 Magee, Ruth J Revocable Trust; Mahan, Mark S; Malek, John; Manha, Lorraine N; Manha,
22 William D; Mann, Charles F; Mann, Luetta A; Marraccini, Darrell; Marraccini, Lisa; Marriott,
23 Jack D; Marriott, Jane C; Marriott, Larry W; Marriott, Lonnie E; Marriott Nancy; Marriott,
24 Sandra J; Marriott, Sandra K; Masini, Carroll G & Maria O Trust; Masini Investments; Masini,
25 Lawrence B; Mason Valley Loyal Order of Moose; Masterson 2000 Trust; Mathas, John A;
26 Mathas, Nancy J; Mathewson, Charles N. Trust; Mattice, Crystal Lindsey; Mattice, Duane;
27 Mattice, James L; Mattice, Mary L; Mattice, Dena L; Mattice, John E; Mayne, Georganna P;
28 Mayne, Larry A; McBee, Cheryl E; McBee, Michael P; McCargar, Doris; McCargar, Edward
James, Jr.; McClain, Terry Lee; McClain, William T; McCoy, Cheryl; McCoy, Lee A Jr.;
McNamara, Carolyn K; McNamara, Roger B; McWhirter, Mildred K Estate; Menesini, Cynthia
L [Mrs. Donald]; Menesini, Cynthia L [Mrs. Ronald]; Menesini, Donald G; Menesini, Edward L;
Menesini, Grace; Menesini, Kristie L; Menesini, Orlando; Menesini, Ronald D; Menesini, Randy
Ellis; Menesini, Reema Marie; Merrill, Bradford C; Merrill, Lana Galyean; Merritt, David L;
Merritt, Teresa C; Merriwether, Sherri A; Merriwether, William A; MICA Farms, LLC; Miller,
Christie A; Miller, Dennis R; Miller, Edmund; Miller, John M; Miller, Linda; Miller, Robert J,
Jr.; Mineral County Commissioners; Mineral County School District; Mineral County; Mitchell,
Ginger; Mitchell, Ronald; Moline,David; Moline, Laura; Mono County; Montgomery, Mary
Louise; Moore, Harold; Moore, Harold Trust; Moore, Micki J; Moore, Rosetta M; Moore, Steven
H; Moreda, Clarence J Family Trust Agreement; Moreda Dairy; Morgan Family 1996 Trust;
Morose, Dan C; Morose, Tara L; Moss, Jimmy A; Motley Living Trust [12/23/70]; Motley,
Patricia A; Motley, Philippa; Motley, Robert III; Muir, Marjorie R; Muir, Thomas K; Munson,
Dolores N; Nagel, Robert R; Nagel, Shirley J; Nannini, Anna Revocable Trust; Neibauer, John J;

1 Neibauer, Winifred A; Nesmith Family Trust Agreement; Neuhauser, Geneva Ruth; Neuhauser,
 2 Larry D; State of Nevada (Nevada Dept of Transportation; Nevada Div. of Wildlife); Nevada-Utah
 3 Assoc. of Seventh Day Adventists; Nevin, Melba; Nichols, William H; Nuti Brothers; Nuti,
 4 Cynthia; Nuti, Lawrence M; Nuti, Leslie J; Nuti, Mary E; Nuti, Mary R; Nuti, Michael A; Nuti,
 5 Nancy J; Nuti, Ralph E; Nuti, Ralph C; Nuti Richard B; O'Banion, James R; O'Sullivan Plastics
 6 Corp.; Osborne, Drew A; Osborne, Genevia L; Osborne, Roy E; Oxsen Enterprises, LLC; P & V
 7 Wilkinson Family Trust; Page, Jeffrey A; Page, Marilee J; Palmer, Alfred W; Palmer, Joy L; Park,
 8 David Wallace; Park, Mary Kathleen; Park, W B & Sons, LLC; Parraguire, David Estate;
 9 Patterson, Jana L; Patterson, Robert M; Peavine Leasing, LLC; Peel, Michael W; Peeples, Deann;
 10 Peeples, Frank T; Penrose G.I.D.; Peri & Peri; Peri & Sons Farms, Inc.; Peri, David J & Pamel
 11 A Family Trust Agreement; Peri, David J; Peri, James J., Jr. [Butch]; Perrin, Clarence H
 12 Testamentary Trust; Perrin Dynasty Trust; Perrin Trust; Perry, Randolph E; Perry, Victor A;
 13 Perumean, Mary Ann; Perumean, Pete Jr.; Perumean, Phillip; Peters, Glen & Darlene Living
 14 Trust; Peterson, Jeffrey; Peterson, Marion W; Peterson, Sheri; Pinenut Ranch Corporation;
 15 Pitchfork Ranch, Inc.; Plattner, Nancy Jo; Plett, Pauline; Plett, Walter; Poli, Nancy; Polizzi,
 16 Carmen Apodaca-; Polizzi, Robert J; Poulsen, Gayle S [Herman]; Prouty, Wayne M & Debra Lynn
 17 Revocable Living Trust; Pruett Ranches, Inc.; Pumpkin Hollow Farms, Inc.; Purrell, James E;
 18 Purrell, Karen M; Pursel, Delbert; Pursel Farms; Pursel, James; Pursel, Melvin E 1998 Trust;
 19 Pursel, Norma; Pursel, Norman; Pursel Ranch, a Partnership; Pursel, Vicki; Quilici, Basil &
 20 Pauline Leveille Revocable Living Trust; Quilici, James D; Quilici, Kathryn A; Quiroga, Carlos
 21 G & Ofelia R Revocable Trust; Quiroga, Hector; Rader, Krys; Rader, Scott D; Raisbeck, Nancy
 22 L; Raisbeck, Peter D; Rasmussen, Kathleen; Rasmussen, Steven; Reams, Christopher; Reams,
 23 Denise; Regan, Ruby C Trust; Reich, Diana; Reich, Martin; Renegade Corporation; Renner,
 24 Thomas R; Renner, Tosca M; Reviglio, Thomas; Rhea, Dale; Richardson, Elizabeth; Richardson,
 25 James; Rife, Deborah K; Rife, Jeffrey J; Rinasz, Myron M; Ritter Family Trust; Ritter, John
 26 Gustave, III; Roach, Heidi D. and Roy B. 2002 Trust; Roach, Ruby; Roberts, Larry W; Roberts,
 27 Mary A; Robertson, Elmer C; Robertson, Geneva K; Robinson, Helen; Roderick, Douglas Ray
 28 & S Joann Living Trust; Roderick, Douglas Ray; Roderick, S Joann; Rogers, Carole J; Rogers,
 Jeffrey A; Rogers, Ralph S; Rogers, Sharon M; Rolston, Kenneth J; Rolston, Linda; Romero
 Family Trust; Roots, David H; Roots, Kathleen A; Rosaschi, Angelo J; Rosaschi, Lester & Connie
 Family Trust Agreement; Rosaschi, Romeo Jr., Inc.; Rosse, Debra D; Rosse, Jerry R; Rowe,
 Lillian Baker-; Rowe, Thomas M; Rubert, Lotus R ; Rubert, Peggy J; Rudd, Marie J;
 Runnerstrom, Rheta M; Runnerstrom, Warren G; Rupe Family Trust Agreement; Rye, Cherie C;
 Rye, Stephen B; Sandoval Albert R; Sandoval, Cecelia L; Sans, Paul P; Sans, Sandra Jo; Santos,
 Christena M; Santos, Paul J; Sario Livestock; Savage, Keith A; Savage, Virginia; Sayce, Michael
 R & Shannon L; Scatena, Louis V; Sceirine, Beverley; Sceirine, David A; Sceirine Fredericks
 Ranch; Sceirine, Herbert; Sceirine, Herbert L & Susan L Revocable Trust; Sceirine, Joseph E;
 Sceirine, Susan L; Schendel, Madge E; Schendel, Robert J; Schirmeister Lisa A; Schram,
 Madeline; Schrock, H. Jean Survivors Trust; Schurz Elementary; Schuster, Donna R Family Trust;
 Sciarani, Arnold Jr. & Pauline Trust Agreement; Sciarani, Donna; Sciarani, Eugo Trust Agreement;
 Sciarani Family Trust; Sciarani, James; Sciarani, John Trust Agreement; Sciarani, John; Sciarani,
 Linda Ann; Sciarani, Paul; Sciotto, Arthur P; Sciotto, Cortland O; Sciotto, Frank T; Scribner,

1 Cynthia; Scribner, Vance C; Seibold, Belinda A; Seifert, Judy A; Seifert, Stanley D; Settelmeyer
 2 Ranches, Inc.; Sharkey, Mike & Carol Family Trust; Sheerin, Christopher; Sheerin, Keri A;
 3 Shehady, Daniel P; Shehady, Donald & Teresa Trust; Sherlock, Michael C; Shively, E Duane &
 4 Russelle B 1991 Revocable Trust; Shoemaker, Janice; Shoemaker, Janice K Trust Agreement;
 5 Sierra Pacific Power Company; Silva, Edward B; Silva, Gary Sr.; Silverado, Inc.; Simmons, Leia
 6 H; Simmons, Stanley C; Simpson, Allan R; Six N Ranch, Inc.; Sjolin, Eunice; Skinner, Albert
 7 Carlos LLC; Smith Ann M; Smith, Daniel G; Smith, Diana Lee; Smith, Ermon Wilson & Mary
 8 Lee Family Trust; Smith, Eva L; Smith, Gaila M; Smith, Grant B; Smith, Harry E; Smith, Indra;
 9 Smith Living Trust; Smith, Mark A & Irene B Family Trust; Smith, Michael A; Smith, Patricia
 10 Ann; Smith Ranch Partnership; Smith, Shawna S; Smith Valley Cattle Feeders; Smith Valley
 11 Baptist Church; Smith Valley Park & Recreation Board; Smith, Wesley & Beverly Trust; Smith,
 12 Angela M; Smith, Diane L; Smith, Scott M; Snook, Jean T; Snyder, Eddie R & Theresa Trust;
 13 Snyder, Frances; Snyder Livestock Co., Inc.; Snyder, Lucy A; Soderstrom, Dave Jr.; Soderstrom,
 14 Joan; Soilfume, Inc.; Sommer, Betty J; Sommer, Leo H; Souza, Julie M; Spence 1990 Family
 15 Trust; Spinuzzi, Peter J Jr.; Spinuzzi, Theresa D; Spradlin, Everett J; Spradlin, N Jeannie;
 16 Sprague, Leland; Stacey, Kristine A; Stacey, Roc A; Stanley, John D; Stanley, Marlyse R;
 17 Stanton, Christy DeLong; Stanton, Kirk Andrew; Stark, Glenn M; Stauffer, Keith H; Stauffer,
 18 Patricia L; Steele, Charles R; Steele, Karen R; Steven & Susan Bohner Family Trust; Stevens,
 19 Judie A; Stevens, Michael D; Stevenson, Daniel R; Stevenson, Sharon; Stewart, Eileen F;
 20 Stewart, Kim & Kathleen Family Trust Agreement; Stillfield, Donna J; Stitt, John & Julia Living
 21 Trust; Stockton, Edward; Stockton, Linda A; Stout, Jack F; Stout, Nancy; Stovall, Judith Lee;
 22 Strong, Charles; Strosnider Family Trust; Strosnider, Inc.; Strudwick Living Trust; Sturge Family
 23 2001 Trust; Sturtevant, Helen M; Sullivan, Kevin Patrick; Sundance Feedlot; Sunrise Ranch, LLC;
 24 Sutter Ranch Corporation; Swainston, George W; Swainston, Harry W; Swainston, John W;
 25 Swenson, Michelle T; Swenson, Timothy D' Taliaferro, Daniel R; Taliaferro, Jill K; Tamagni
 26 Janice E; Tamagni, Raymond E Family Trusts; Taylor, Dola F; Taylor, Lloyd T; Tazaki,
 27 Musaschi Taka; Terry, Denise L; Terry, Sean C; Terschluse Family Trust; Thacher, Caroline H;
 28 Thacher, John H; Tholke, Rachel Smith Trust; Thomas, Ami; Thomas, Katherine L; Thomas,
 Terry A; Thomas, Tracy Glaze; Thompson Family Trust; Tibbals, Carol Joyce; Tibbals, Don H;
 Tibbals Family Trust Agreement; Tibbals, Joseph William; Tijsseling, Dick G; Tijsseling, Judith
 A; Tilley, Jerry E Trust; Tiscareno, Anne M; Tiscareno, Carlos J; Titus, Robin L; Tomac, Laura;
 Tomac, Steven; Topaz Lake Water, Inc.; Topaz Lodge, Inc.; Treasure, Malcolm; Treasure,
 Michelle R; Turf Company, LLC; Turner, Dolores V; Turner, Howard D; Turner, Joan C; Turner,
 Ross D; Turria, Linda R Trust Agreement; Turria, Linda; Turria, Randy; Twelves Family
 Partnership, LLC; Twin Properties, LLC; Vandebrake, Debra A; Vandebrake, Jerry L; Vaughan,
 Julie M; Vaughan, Richard D; Vawter Tierney Living Trust; Veil, Kelly A; Veil, Timothy C;
 Verdugo, Juan; Verdugo, Maria; VGR Limited Partnership; Vick, David W; Vick, Shelly; Villa,
 Alan N; Villa, Shirley J; Virdin, Virginia Sue; Virdin, William Michael; Vogel, Bruce G; Vogel
 Family Trust; Vorhies, Victoria E; Vorhies, William L Jr.; W and L Trust; Walker Lake Water
 District; Walker Lake Working Group, Inc.; Walker Lake Apartments; Walker River Paiute Tribe;
 Walker River Land Corporation; Walker River Ranch Limited Partnership; Walker River Irrigation
 District; Walsh, Janine Y; Walsh, Stephen L; Warburton Family Trust; Ward, Lauren; Ward,

1 Mary Margaret; Warr, David T; Warr, John; Wass Investments, A Nevada Limited Partnership;
 2 Wasser, Debi I; Wasser, Robert E, Jr.; Weaver Properties, LLC; Weaver, John R & Lura K Family
 3 Trust; Weed Heights Development; Weiser Living Trust; Wells Fargo Home Mortgage, Inc.;
 4 West, Regina Rae; Wheat, Robin; Wheeler, Earnest C; White, Douglas M; White, Julie Ann;
 5 Whitney, John W; Whittier Trust Co., TTEE for George L'Abbe; Wiegand Resources, Inc.;
 6 Wiggins, Alice S; Wilder, Joan; Wilens Family Trust; Wilkinson, Philip; Wilkinson, Vivien;
 7 Williams, John Leonard; Williams, Joni Fay; Williams, Phillip A; Williford, Michael C;
 8 Williford, Virginia M; Willis, Marlene D; Willis, Randall D; Willowcreek G.I.D.; Wipfli,
 9 Candyce; Wipfli, Tom; Wright Living Trust; Wright, Mary M; Wright, Sandra L; Wright, Weston
 10 L; Yeager, Eloise; Yeager, F Kirk; Yerington Associates; Yerington Church of Christ; Yerington,
 11 City of; Yerington Public Utilities; Yerington Water Co.; Zieman, Gene G; Zlendick, Don R;
 12 Zlendick, Gayle K; Zwart, John J; Zwart, Veronica L; Abilla, Vicki Lynn; Acme Leasing, LLC;
 13 Airoso, Joseph M, Sr.; Ammons, James T.; Anderson, Royce W. Family Trust; Artesani Family
 14 Trust; Ayres, Harriet E.; Bartels, Gladys; Bartels, William J., Sr.; Bawden, J. F.; Bemis, Jack L;
 15 Borealis Mining Company; Brandstetter Family Trust; Brueggemann, Bruce; Brueggemann,
 16 Sherilyn E.; Bryan, Nikki A.; Bryan, Richard H.; Butler, Gary R.; Butler, Theresa A.; Chilton,
 17 Michael J.; Clemens Family Trust; Cochran, Donald R.; Cochran, Susan J.; Cook, Gilbert E.;
 18 Cook, Linda L.; Copper Hills Bible Church, Inc.; Crist, Arlien R.; Crist, Charles J.; Day, Kelli
 19 A; Day, Robert H., Jr.; Debrick, Verna N.; Draper, Steven M.; Dunham, Dane Eileen Family
 20 Trust; Easterby, Carmaletta; Easterby, David D.; Eierman, Conrad R.; Faiferek, Lee Ann;
 21 Faiferek, Roland; Faretto, Michael 1996 Family Trust; Fielding, Shirley A.; Fietta, Patricia;
 22 Fulstone, Ed; Fulstone, Fred, Jr.; Gagne, John L.; Gagne, Monica V.; Garms, Gary; Garms, Toni;
 23 Garmsland Limited; Giacomini, Carole A.; Giacomini, Joseph T.; Giorgi, Ugo, Jr.; GR8DEAL,
 24 LLC; Gregoris, Michel; Gregoris, Yvette P.; Guild, Clark J., III; Guild, Catherine L.;
 25 Gussenhoven, Joyce L.; Hanson, Gary & Beverly Trust; Harris, Mark Alan; Harris, Valeria;
 26 Hartwick, Rex A.; Hartwick, Sandy J.; Haskins, Carrol Richard & Alice June Joint Living Trust;
 27 Hawkins, Patricia L., MD; Hayden, Leland D.; Helm, Connie Parkinson-; Helm, Daniel B.; Hern,
 28 Carla Sue; Hern, Michael J; Hunewill, Frank E.; Hunewill, Randi Jo; Huntsberger, Linda M.;
 Huntsberger, Richard C.; Jackson, Robert E.; Johns, Debra L.; Johns, Michael P.; Johnson,
 Richard D.; Johnson, Sharlene M.; Johnston, Carol A.; Johnston, John; Jones, Arthur L., Jr.;
 Jones, Debra L.; Keegan, James; Kelly, Quirt; Kirk, Donna B.; LaFleur, Debra C.; LaFleur, Gary
 P.; Lemaitre, George E.; Lemos, C. JoEllen; Lemos, Danny; Lemos, Milton J.; Lindberg, Donald
 H., Sr.; Lindberg, Janice M.; Lockwood, Melvin L.; Lockwood, Sylvia M.; Lombard, Michael;
 Lombard, Shelley; MacKenzie, Lee Ann; Maddock, Douglas W.; Maddock, Stacey L.; Martin,
 Cheryl Lynne Revocable Living Trust; Masini, Lawrence C. Ranch; Mathis, Joe Robinson and
 Eleanor Margherite Trust; McCormick, Hilda T.; McCormick, Robert J.; McMinn Family Trust;
 Megenity, Patricia Sue; Melton, Mattie J.; Miller, Mary Ann; Morehouse, Linda; Morehouse,
 Wayne; Muniain, Mary K.; Muniain, Raymond O.; Myers, Francine; Myers, Travis; Nevada
 Onion, Inc.; Noles Trust dated 11/08/89; O'Banion, Todd J.; Oxsen, Nancy; Oxsen, Peter;
 Pellegrini, Debra I.; Pellegrini, Steven W.; Perrin, Frances L.; Petersen, Martin W.; Petersen,
 Norma D.; Price, Charles R.; Proud, Andrew S.; Proud, Wendy E.; RGGS Land & Minerals, Ltd.,
 LP; Rauber, William S. & Inlow, Patricia A. Trust; Renner, Donald W.; Renner, LaShele M.;

1 Rightway Investments Smith Valley, LLC; Rink, Ruth E. 2002 Trust; Ritter, John G., Jr.; Ritter,
 2 Lucille C.; Roark, Gladys R.; Michael G. & Paula L. Rosaschi Trust; Ruf, Kyle A.; Ruf, Ross C.;
 3 Allen, Judy B; Allen, Roger; Ambrosia, Elaine L; Antonelli, Adriane J; Antonelli, Robert E;
 4 Aquila, Anthony; Aquila, Shelly; Aquila, Teresa; Ashdown, Darlene M; Awbrey, Connie M;
 5 Awbrey, James M; Babcock, Geraldine; Babcock, Richard E; Bales, Nona K; Bales, Richard B;
 6 Baptist, Joseph M; Baptist, Wendy R; Bartels, Kimberly A; Bartels, Rick S; Batting, Jennifer Lee;
 7 Berryhill, Nita M; Bertolin, Bruce H; Bertolin, Judith N; Bloise, George Nickolas; Boyd, Betsy
 8 J; Boyd, John L; Boydston, Kimberlee L; Boydston, Monte F; Bradley, Kay M; Brewer, Robert
 9 & Doris Trust; Brewer, Robert C; Brewer, Sandra L; Brondel, Karen D; Brondel, Kathy L;
 10 Brown, Haskell & Cheri L Trust; Brown, Kristine L; Brown, Oswald A; Brown, Sandra;
 11 Buchanan, Betty; Buell, Betty Sue Trust Agreement; Buell, Frank M Trust Agreement; Buettner,
 12 Madeline K; Buettner, Wilhelm F; Buford, Rick A; Buford, Vel; Bukoskey, John J; Bukoskey,
 13 Linda S; Bull Family Trust; Burr, Dianne Borsini Trust; Capurro, Cindy; Capurro, Michael L;
 14 Cartwright, Joan E; Cartwright, Roxanne Jones-; Cartwright, Tommy W; Chambers, Robert M;
 15 Cirone, Allen W; Cirone, Amanda J; Clay, Susan A; Converse, Cris; Cook, Gilbert E & Linda L
 16 Trust; Cooper, Kevin D; Cornish, Diane L; Crabtree, Antoinette Damon; Crabtree, Philip W;
 17 Criqui, Peter C; Daugherty, Michael; Daugherty, Susan C; Davis, Carol A; DeVold, Zoe A;
 18 Dobosh, Betty M; Dobosh, Michael D, Sr.; Ellington-Peyerl, Andrea; Elliott, Patricia A; Elliott,
 19 Robert L; Elmer, Margaret D; Elmer, Richard G; Emery, Steven M; Emery, Terri L; Fabian,
 20 Norman R; Fell, Bud S; Flood, Michael P; Foley, Peggy; Foley, Richard; Foley Trust dated
 21 04/05/04; Garcia, Carmen; Garcia, Rogelio M; George, Betti June; George, Carl S, Sr.; Giannotta,
 22 Lori Linn; Giannotta, Robert Paul; Gideon, Jerry; Gideon, Laverne; Gilmore, Debra A; Gilmore,
 23 Patrick A; Giomi, Joseph E Family Trust; Goodwill, Becky; Goodwill, Richard K; Gordon,
 24 Kathleen J; Gordon, Robert B; Greene, Vincent N; Gregoris, Gerard; Gregoris, Lorraine;
 25 Gregory, Eric C; Griffin, Floyd W; Griffin, Heidi A Hess-; Griffin, Martha Ann; Grosvenor,
 26 Elaine L; Gullett, Eva C; Gutierrez, Maria J; Gutierrez, Patrick; Haeckel, Carolyn A; Haeckel,
 27 Michael B; Hart, Dublin J; Hartley, Shirley A; Hatala, Albert F; Hatala, Mary Sue; Herman, Fair
 28 M; Herrand, David; Herrand, Diane M; Hill, Carl E; Holloway, Ted J; Homan, Kristina Fay;
 Hoover, David R; Hoover, Tammy L; Horner Personal Residence Irrevocable Trust Agreement;
 Horstmanshoff, Bruce; Howry, Michael; Hronesh, Mark E; Hughes Family Trust UDT 9-7-95;
 Ichord, Richard A; Ichord, Shirley M; Jaquay, Michelle K; Johnson, Edward D; Johnson, LaCinda
 E; Johnson, Michael L; Johnson, William Lay-Faytte and Joan T Johnson Family Trust; Johnston,
 Hal B; Johnston, Michael W; Johnston, Rosann M; Jones Family Trust; Jones, Charles Russell
 & Linda C Trust; Jones, Colleen M; Jones, Martha J; Jones, Michael L; Jones, Paul F; Jones,
 Willie A Trust; Joplin, Betty; Joy, Donald; Joy, Lori; Jurey, Clyde W and Sandra D Trust;
 Kalata, Loretta J; Kalata, Theodore E; Kaltenbach, Lawrence J; Kaltenbach, Viola; Kay, Carlene
 D; Kay, Frank E; Kay, Leroy C; Kay, Paul G; Kelley, Francis A; Kelley, Geraldine S Trust;
 Kelley, Rita J; Kienbaum, Martha C; Kilgore, James B; Kilgore, Violet D; King, Robert F, Jr.;
 Kinsey, Peggy Leigh; Kirk, Jerri Mae; Kleve, Jerome H; Kleve, Verna Lee; Klose, Lyle E;
 Knight, Madeliene M; Knisley, Richard D; Knisley, Rosanna M; Knox, Logan & Madge Trust;
 Knudson, James A; Kostenbader, Steven G; Kotler, Gary I & Cathryn A Trust; Kraft, Ricardo M
 Trust; Kraus, Arthur; Kraus, June; Krejci, Bill F; Kretschmer, Constance M; Kretschmer, Edward

1 L; Kropelnicki, Alexander; Kropelnicki, Marlene R; Kuzia, Joanna; Kuzia, Leslaw; Kuzmicki,
 Constantine T; Kuzmicki, Nicolee; Kuzmicki, Russell; Labelle, Edith M; Labelle, Gary L; Lacey,
 2 Jonathan A; Lamb, Grace R; Lamb, Robert W; Lamkin, Helen; Lance, Lita Jean; Lance, Mattie;
 3 Lance, Richard Dean; Landers, Jim G; Lang, Charles M; Lang, Debra S; Langford, John R;
 Lantto, Ernest R; Lanzino, Andrew E; Lanzino, Lisa A; Lasater, James M & Betty L Trust;
 4 Lawrence, Danny L; Lawrence, Diane L; Ledsinger, Michael D; Lee, Jerry W; Lee, Robert E;
 5 Leffler, Glen A; Leffler, Nadine V; Lemos, Frankie L; Lemos, Guy F; Lemos, Jodi L; Lemos,
 Rodney J; Lerg, Deborah Mae; Lerg, Roy D; Lerg, Roy D & Deborah Mae Trust; Levay, James;
 6 Leveille, Helen; Leveille, William E; Lewis, Arena F; Lewis, Cameron J; Lewis-Ellis, Katherine
 L; Locklear, Arnold J & Lysi V Family Trust; Loori, Catherine; Lopez, Baudelio; Lopez, Fredrick;
 7 Lopez, Maria S; Loveberg, Robert G; Luers, Dale E; Luers, Devon S; Lumbard, Robert A;
 8 Luning, Eugene T; Luning, Michelle S; Lunsford Family Trust; Lyman, Stanley and Bonnie
 Revocable Trust; Lynch, Charlene F; Lynch, Daniel B; Lyons, Della M; Lyons, Rolland R;
 9 Madera-Ramirez, Otoniel; Madrid, Joseph I; Madrid, Maria E; Madsen, Russell G Trust;
 10 Mainarick, Richard M; Mainarick, Susan L; Maldonado, Efren E; Maldonado, Sylvia; Mamolen,
 Ellen M; Mamolen, Samuel F; Mandeville, Margaret; Mandeville, Walter F; Manus, Dwayne T;
 11 Marshall, Carrie A; Marshall, Theran L; Mason, Jon E; Mason, Norene E; Massin, Michael R;
 12 Massin, Nancy L; Mata, Nereo C; Mata, Onecimo; Matlean, Barbara C; Matlean, Milton;
 Mattice, Gayle; Mattice, Lewis W; May, Georgia A; Mayne, Gary F; Mayne, Kathy L; McAviney,
 13 Christopher A; McAviney, John N, Jr.; McCandless, Robert R and Frances L Family Trust;
 14 McDermott, Shirley J 2000 Trust; McGuire, Bettie M; McGuire, Melanie; McGuire, Michael S;
 McKay, Gary G; McKay, Lewis & Judith Family Trust; McLaughlin, Doris; McMinn, Barbara
 15 Ruth; McMurray, Barbara A; McMurray, Norman H; Medaris, Joan M; Medaris, Leland H;
 16 Meerly, Richard O; Mendoza, Jorge Negrete; Menesini, Joseph, Jr.; Menesini, Wanda M;
 Mestressat, Cynthia; Mestressat, George J; Meyer, Lucinda A; Michelsen, Carole A; Michelsen,
 17 Ronald J; Micheo, Louis R; Midyett, Patti A; Mikonis Family Trust; Milam, Bruce; Milam,
 Sylvia; Miller, Kris C; Miller, Owen; Miser Family Trust; Moffitt, Lance; Moffitt, Marcia;
 18 Mollart, Cathy S; Mollart, George W, III; Mominee, Bernard; Mominee, Diana; Monahan, Daniel
 19 J; Monahan, Eleanor L; Monahan, Wayne R; Montanaro, Edward C; Montanaro, Mary M;
 20 Montero, John R; Montero, Sharon A; Montes, Benito; Montes, Felicittas; Montes, Maria B;
 Montes, Oscar Ramos; Montes, Senorino; Montes, Taurino R; Moody, John W; Moody, Kristine
 21 R; Moore, Diana B; Moore, Jeffrey H; Moore, Mark A; Moore, Robbin Rose; Moore, Ronald
 W; Moore, Sandra H; Moore, Vickie L; Moreda, Edward J; Moreda, Gretta E; Moreda, Janet M;
 22 Mottin, Jimmy R; Mottin, Nelda R; Mouchou, Barbara A Trust; Mouchou, John D; Mousseau,
 23 Janet; Muniain Family Trust; Murphy, Donna P; Nagy, Linda L; Nagy, Michael E; Nakamua,
 Janet E. Thompson; Newman, Jon M; Nigos, Cynthia; Nish, Jesse; O'Connor, John E 1996
 24 Separate Property Trust; O'Connor, Marlene A 1996 Separate Property Trust; Olson, Gerald F;
 25 Olson, Rochelle; Pedersen, Dan H; Pedersen, Karen P; Penaloza, Oralia; Perry, Darla Clarke;
 Perry, Gayle A; Perry, Janet C; Perry, L James; Petersen, Rosemary E; Pierman, Lenda Lou;
 26 Pinion Mountain Trust; Pipkin, Jimmy D; Pipkin, Rose M; Poseley, John Trust; Postal, Clark N;
 27 Prouty, Wayne M, Jr.; Pugh, Gordon; Rauber, Julie M; Rauber, Spencer N, Jr.; Raymond, Alice
 A; Raymond, Gary K; Reed, Barbara J; Reed, Sandra M; Reese, Lynda C; Rienstra, Ardenna K;
 28

1 Rienstra, Paul E; Roberts, Christina A; Roberts, William P; Robinson, George F; Robinson,
 2 Kimberly J; Robison, Howard R; Rodriguez-Madera, Maria Raquel; Rogers,
 3 Sherrie D; Roseberry, Connie Jo; Roseberry, Kevin D; Ruble, James H; Ruble, Pauline H;
 4 Sallaberry, JoAnn; Schendel Family Living Trust; Schmidt, Eddie Mae; Schultz, Steven D;
 5 Schultz, Theresa C; Seal, Lois A; Sebald, Frederick C; Sebald, Leona L; Seitz, Pamela G Sterling-
 6 ; Seitz, Paul R; Seldomridge, Jeffry S; Silva, Jeanne E; Silva, William J; Simmons, Larry A;
 7 Simmons, Richelene; Singleton, Michael R; Sipes, Alden Henry; Sipes, Nancy Jean; Slater,
 8 Dennis R; Slater, Kimberly Ann; Lindsey, Twyla M.; Smith, Barbara L; Smith, Thomas H;
 9 Spencer, Michele; Stanton, Thomas J; Stevens, Bryan T; Stevens, Pamela M; Stewart, Robert L;
 10 Stewart, Terrie L; Stoddard, Cheryl A; Sullivan, Alice J; Survera, Bertrand J; Survera, Lois C;
 11 Taylor, Adrian G; Taylor, Maria D; Theiss, Dale A; Theiss, Sharon F; Thomas, Fannie M;
 12 Thomasson, Phillip W; Tornesello, Michael J; Towery, Cary E; Towery, Cheryl A; Tucker, Dona
 13 C; Tucker, Phillip E; Valladao Trust; Van Winkle, Raymond, Sr.; Verdugo, Eva; Verdugo, Jose;
 14 Walker, Summer N; Walker, Travis L; Wallin, Diana R; Warren, Robert James; Weaver, Yvette;
 15 Weeks, Mike L; Westerman, Paula S; Westerman, Theodore N, Jr.; Whitesides, Joella J;
 16 Whitesides, Todd K; Wilder, John J; Wilder, Lin C; Wilders, Maudy E; Wilders, Robert;
 17 Willingham, Ada L; Willingham, Lawrence O; Wirthwein Family Trust; Zahradnik, Catherine M;
 18 Zahradnik, David V; Zarazua-Mata, Abel; Zarazua-Mata, Rafaela; Zarazua-Montes, Liboria;
 19 Zippwald, Darlene S; Zippwald, Jack C.; "A" Enterprise; Baltrusch, Sabrina; Bell, Carl D.;
 20 Beronio Family 1995 Trust; Brown Joint Living Trust; Cook 1994 Revocable Living Trust; Farrar
 21 Family Trust; Giraud, Louis J; Giraud, Marie; Rex A. & Sandra J. Hartwick Family Trust; Hayes,
 22 Edward P.; Klose, Carrie; Kreamer, Cheryl L.; Kreamer, James P.; Lackore Revocable Family
 23 Trust; Leiter, Linda Kathleen; Lommori Family Trust; Mathews, Myrtle Alberta Family Trust;
 24 Miller, Vernon L. and Caroline S. Family Trust; Nakamura, Janet E. Thompson; Sanchez, Doris
 25 S.; Sanchez, Samuel Julian; Valladao Trust; Verna, Nancy A; Verna, Steven E.; Williams, Murl
 26 E., Jr.; Abrott, John E; Abrott, Maralyn; Acciari, Catherine M; Acciari, Joseph R; Acosta, Carole
 27 F; Acosta, Rudolph E; Adams, Hazen R; Adams, Mary A; Adams, Melody A; Adrian Family
 28 Trust; Aiazzi, Denise N; Aiazzi, Pete A. and Estelle M. Trust; Aiazzi, Stephen E; Aiken, Susan
 Sedgwick; Algeo Family Revocable Trust; Altman, Carol E; Altman, Mary I; Alvarez Family
 Revocable Living Trust; Andersen, F Elaine; Andersen, Morris Jr.; Anderson, Darrell E;
 Andrews, Horton R Trust; Angeles, Ernie A; Arentz, Sam S, III; Arentz, Trudie C; Armstrong,
 David E; Armstrong, Marge A; Atchison, Dennis W; Atwood, John G, Jr.; Ausmus, John A;
 Balbini, Arthur Ronald Trust; Baran, James J; Barcellos, Vicki L; Barr, Sharron; Bartels, Marvin
 E; Bartlett, Darlene; Bartlett, Donald L; Bauhofer, William L; Baumgartner, Beverly;
 Baumgartner, John G; Beal, Donna J; Beal, Linda; Beal, Steven; Bean, Kenneth R. and Ethel R.
 Bean Family Trust; Beaton, Christopher S; Beaton, Darci L. Mundello-; Bell, Brian William;
 Bentley, Don and Patty S. Bentley Family Trust; Bergin, Leo P, III; Bernard, Adrian L; Bernard,
 Donald J; Berrington Custom Hay Hauling, Stacking and Transportation, Inc; Berrington, Jean M;
 Berry, Alta E; Berry, Barbara L; Berry, Robert J; Berry, Stephen F; Bertrand, Linville F;
 Berumen, Juan Luis Reyes; Bettencourt, Lawrence; Bettencourt, Mary J; Bezayiff, Julia; Bezayiff,
 Roger; Biggs, Edward W; Biggs, Robin A; Bilbao, David A; Bilbao, Patricia E; Bingeman, Gene
 Family Trust; Birk, Ronald G; Blackburn, Dale G; Blackburn, Eve L; Blanks, Gerald D; Blanks,

1 Sharon E; Bohler, Steven A; Boileau, Gerial; Bonnet, Laurie A; Bonnet, Mason L; Boucher,
 2 Christine; Boucher, Michael D; Bradley, Darrell D; Bray, William J, Sr.; Brownell, Camella M;
 3 Brownell, Dean G; Bruhn, Eugene L; Bruhn, Nickels Lewis; Bryan, Gordon D; Bryan, Helen M;
 4 Chappell, Dana; Cline, Carolyn K. Ziesler-; Cline, Jack R; Crawford, Larry D; Crowley, Jon
 5 D; Crowley, Teresa G; Crumé, Gail Herrera; Crumé, Henry Haskell; Davis, Gregory A; Davis,
 6 Terri L; DeChambeau, Jack; DeChambeau, Susan J; Delucca 2004 Rev. Trust; Diaz, Jessica
 7 Bettencourt; Dickey, Cinda; Diekmann, David C; Diekmann, Greg E; Diekmann, Richard J;
 8 Dockum, Cheryl F; Dockum, Don M; Dressler, Estate of Milton N, Sr.; Dunn, Leo Patrick 2004
 9 Trust; Echard, Deborah Lynn; Echard, James Edward; Eller, Colby D; Eller, Julia C; Espitia,
 10 Angel; Espitia, Margarita; Eversult, Robert A; Eversult, Shirley A; Far West Construction;
 11 Fowler, Penelope; Fowler, Terry G; Fuller, Robert B; Fuller, Vera N; Fullerton, Carolyn J;
 12 Fulstone, R N Inc. Ranches; Gardner, Ken & Dorothy Trust; Garman, William W; Golden Honey
 13 Bear Trust; Gourley, Patricia Lynn; Greenberg, Barbara Carol; Greenberg, Raymond John;
 14 Grooms Family Trust; Hagen, Cheryl S; Hagen, Mike; Haight, Sonnie L; Haight, Theodore
 15 David; Hakin, Carl E; Hakin, Joyce Lynn; Hall, James B; Halstead, Judy; Ham, Dana C; Ham,
 16 Franklin C; Hamlett, Robert A, II; Hana, Bob E; Hana, Carmela R; Hansston, Anna J. Family
 17 Trust; Hardesty, Gary W; Hardesty, Karen K; Hardison, James L; Hardison, Marlene; Harker
 18 Family Trust; Harper, George R; Harper, Patricia C; Harrell, Dennis E; Harrell, Linda J;
 19 Harrington, Jean M; Harrington, Roger A; Hawkins, Michael James; Hefner, Marcia E; Hefner,
 20 Tommy M; Hicks Family Trust; Hodges, Carol Lee; Hodges, Donald Lee; Hughes, Kathleen;
 21 Hughes, Richard W; Hughes, Ted O and Marian Trust; Hughes, Tony and Sharon Family Trust;
 22 Incopero, Frank Vincent; Jones, Arthur L., Sr.; Jones, Barbara A; Jones, Debra L; Kates, Carolyn
 23 M; Kirchner, Michael & Karen Family Trust; Knapp, Dennis R; Kutschenreuter, Herman J;
 24 Kutschenreuter, Sue; Laumer Living Trust; Leavitt, Brian B; Leavitt, Kim S; Lee, Blair H;
 25 Lenning, Grace A; Lenning, James L; Litterer, Jeffrey S; Litterer, Therese A; Lynch, Betty L;
 26 Lynch, Donald B; MacBlane, Gary R; Mack, Eugenie H; Mack, Luther; MacMannus, Leslie J;
 27 Mason, Bernadine K; Mason, Evered J; Mathias, John A; Mathias, Nancy J; McCarthy, Michael
 28 R; McCarthy, Michael Ann Campoy; McGarity, David Hoyt; McGarity, Mary Colleen; Me-Too,
 Inc.; Mosby, Jack L; Mosby, Rena A; Murphy Revocable Trust u/d/t 7-22-98; Nall, Lucille G;
 Nesbit, Edwin E; Nesbit, Pamela H; Neubauer, Nancy M; Nickum, Kelly L; Norman, Ruth A
 1991 Trust; Oliver, Jo M; Oreb Trust; Parker, Emily Grace; Parker, Susan Emily; Parrott,
 Cherylin K; Parrott, Harold T; Peck, Michael; Pepple, Grace; Pepple, James L; Perkins, Carol
 Louise Family Trust; Petersen, Martin W; Petersen, Natalie; Petersen, Norma D; Petrak, Jack R;
 Pinion Ranch Estates, LLC; Pitt, Sharlet L. 1993 Trust; Pulido, Jesse H; Pulido, Margaret G;
 Riley, Patricia; Roseberry, Jacob E; Roseberry, Kimberly R; SV Development; Savage, John A;
 Savidge, Dale A; Savidge, Maureen P; Schmidt, Leonard L; Schwake, Frederick W; Schwake,
 Patricia R; Schwandt, Rudolph A; Scodak, Judy; Scodak, Stephen; Scott, Dorothy L;
 Seldomridge, Patricia D; Sellers, Brenda; Sellers, Carol Jean; Sellers, Frederick E; Sellers, Larry
 W; Seubert, Donald R and Sophia Trust; Severinsen, Darrell R; Severinsen, Sheryl A; Seward,
 John F, Sr.; Seward, Joyce A; Shaffer, Timothy M; Shaw, Lee; Singleton, Charles M; Singleton,
 Rose M; Sipple, Anthony Joseph; Sipple, Cathryn A; Skaggs Family Trust; Smith, Anthony K;
 Smith, Christine R; Smith, Kenneth M; Smith, Richard R, Sr.; Smith, Shirley K; Smith, William

1 S; Solway, Nancy L; Solway, Walter T, Jr.; Soukup, Andrew J; Soukup, Lee; Soukup, Lisa;
 2 South Lyon County Hospital District; Sovereign Enterprises, LLC; Spahn, Donna J; Spezzi,
 Donna M; Spezzi, Stanley R; Spooner, Kenneth C; Spooner, Margaret M; Springs, Carol L;
 3 Springs, Louis D; Spurgeon, Elbert C 2004 Family Trust; Spurlock, Melvin R; St. Jean, Wilfred
 and Roma Trust; Stanley Family Trust dtd 12/11/97; Stanton, Michael J; Steele, Gary P; Steele,
 4 Helen L; Stephens, Kathleen E; Stephens, Ronald L; Stewart, Kathleen L; Stewart, Kim K; Stiles,
 Nancy A; Stokes, Albert E; Stokes, Susan M; Storey, Arthur L; Stutts, Cheryl; Stutts, Larry;
 5 TPKW Family, LP; Tanaka, Cindy; Teodorski, Tanya M; Testa, Anthony J; Testa, Judith K;
 6 Tibbals, Joseph W; Tibbals, Margaret F; Tiscareno, Hope E; Tiscareno, Juan P; Towne, Catherine
 L; Tucker, Richard Allan; Tucker, Sandra Kaye; Turner, Jo Anne; Uhland Family Trust; Urrea,
 7 Marjorie L; Valentino Family Trust; Van Norman, Charles V; Van Norman, Linda Dianne; Van
 8 Winkle, Raymond W; Vial, Sandy Marie; VonSeeburg, John A and Lorraine E Revocable Trust;
 9 Wade/Fernley, LP; Washington, Bonnie; Wawers, Sylvia C; Welle, Patricia C; Weller, Bessie A;
 Weller, William H; Whitaker, Richard S; White, Kirk Family Trust; Wiant Living Trust; Wilcox,
 10 Eric Kenneth Trust; Wilkerson, Dennis L; Wilkerson, Elouise M; Williams, Gypsy; Williams,
 Phyllis; Willis, Marlene D; Willis, Randall D; Wilson, Martha; Wilson, Wylie; Wirthwein
 11 Survivor's Trust; Yerington Ventures, LLC; Young, Daniel & Shelby Revocable Living Trust;
 12 Zumpft, Charles W and Karen M Family Trust; Arellano, Noel; Arellano, Rosalba; Baker,
 Kenneth E; Baker, Linda M; Berrington, Phyllis; Blandin, Nancy L; Bobula Living Trust dtd
 13 12/03/97; Borden, Donn T; Boudreau, Hilary H; Boudreau, Michael P; Bowden Family Trust dtd
 14 3/23/00; Bowen, Mary Lisa; Bowen, Wallice; Bowman, Ann M; Bowman, Wayne D; Bowman,
 William R; Brigham, Jeanne Diane; Brown, David A; Brown, Rose L; Brown, Wesley W and
 15 Clara A Living Trust; Brusse, Janet Q; Brusse, Larry A; Bump, Delbert W; Bunch, Suzanne E;
 16 Burchell, Clyde E; Burchell, Teresa J; Burton, Robert A; Bush, Lota Trust; Buskirk, Diane;
 17 Butler, Arlene J; Butler, Donald L; Butler, Lee G; Butler, Shannel C; Butcher, Terry E; Clyde,
 Shawn M; Clyde, Vicki A; Cooper, Leon L; Cooper, Mary Ann; Cummings, Dianna L;
 18 Cummings, Edward M; Curtis, Launa; Curtis, Steve; Cutright, Ginger L; Cutright, Maxwell K;
 Dalrymple, Donald D; Damron, Eunice M. Trust; Dane, Albert J; Dane, Judy H; Daniels, Jessica
 19 Barlow; Daniels, John E; Darling, Jim S; Darling, Sheena G; Davidson, Dennis; Davidson, Joni
 20 S; Davidson, Nathan S; Davis Family Trust dtd 2/11/93; Survivor's Trust of the Day Family Trust;
 Day, Bobby R; Debusk, Annette G; Debusk, W Michael; Decorte, Samuel; Decorte, Tony;
 21 DeForest, Kent; DeForest, Lisa A; DeGeorgis, Diane; Deines, Jerry V; Deines, Virginia M;
 22 Deitrick, April Christine; Deitrick, Kirt Allen; Del Porto, Christi Linn; Del Porto, Frank M;
 Demello, Jody; Denny, Douglas M; Denny, Martha D; DeWitt, Herman Sr.; DeWitt, Susan M;
 23 DeWitt, Wanda J; Dibble, Deborah L; Dibble, John K; Diehl, Anna; Diehl, Francis K; Dieneman,
 David P; Dieneman, Sandi P; Disbrow, Carolyn L; Disbrow, Peter H; Doering, Jeanette; Doering,
 24 Robert E; Douglas, Barbara A; Douglas, Michael A; Doyle Family Trust dtd 12/30/04; Dunlap,
 25 James T; Dunlap, Vicki L; Easton, Katheryn B; Easton, Robert L; Eberhart, Elmer L; Eckstein,
 Clemencia C; ECT Family Trust; Edney, Lorrie; Edney, Rick W; Edwards, Scott Lee; Eernisse,
 26 Janet B; Eernisse, Richard F; Erbin, Don; Espinoza, Jerry M; Espinoza, Wanda L; Euler, James
 27 Crookham; Evasovic, Les T; Evasovic, Michelle; Faacks, Billie Jean; Faacks, Kenneth D;
 28 Falkenstein, A Jerry; Faulkner, Angel Renae; Faulkner, Mark R; Favor, Ida Lee; Fawcett, Herbert

1 J; Fawcett, Kathy M; Fawcett, Roger L; Fentiman, Brenda G; Fentiman, Donald H; Fesenmaier,
 Mary; Fesenmaier, Michael; Fields, Roy O; Florio, Michael P; Focha, Judith C; Focha, Peter A;
 2 Foss, James Edward; Fowler, Marlene A; Fowler, Walter C; Frame, Charles R; Frechette, Bruce;
 3 Freeland, Matthew J; Freeland, Rebecca S; Frishman, Steve; Frishman, Sue; Frugoli, Walter L;
 Fuller, Jack R; Fuller, Reba J; Fulton, Danny L; Gable Living Trust; Galantuomini, Steven J;
 4 Galvin, Kaylyn; Galvin, Matthew J; Gaminiam, Jeanne Trust; Gansberg, Ellen C; Gansberg,
 5 Leroy D; Gant, Desiree D; Gant, Kent E; Garafano, George; Garcia, Stephen C and Cheryl A
 Family Trust; Garmong, Gregoroy; Gates, Edward A, Sr.; Gates, Susanne; Gauldin, R Jackson and
 6 Kathryn B Trust dtd 3/14/97; Geissinger, Mitchell J; Geissinger, Terri; Gutierrez, Alvara;
 7 Gutierrez, Guadalupe; Guy, Hazel L; Guy, Lillie S; Hakansson, Margaret; Hakansson, Michael;
 Hernandez, Juan P; Hernandez, Obdulia A; Holcomb, Ronald J; Holcomb, Shauna L; Jaquay,
 8 Michael Vincent; Johns, Daniel C; Johnson, Christine; Johnson, Eric M; Johnson, John R;
 9 Johnson, Suzanne F; Jordon, Jeannette; Jordon, John E; Kimball, Johnnie F; LaFleur, Lawrence
 V; LaFleur, Nicole; Mason, Margaret; McDonald, Bill A; McDonald, Donna G; Merrill, Robert
 10 H; Moore, Harold Trust; Morgan, Dawn S; Morgan, Jacquelyn; Morgan, Kenneth L, Sr.;
 11 Morgan, Mark L; Neville Sandra F; Parmar, Inder J; Parmar, Kathy L; Petcar Family 1997 Trust;
 Pierson, Norman E; Pierson, Roxana J; Pike, Sharon L; Pinkstaff, David M; Ramirez, Antonio;
 12 Ramirez, Maria A; Riley, Tom; Rose, George W; Rose, Winnie O; Sanderson, Janet A;
 Scandrett, Janice Ann; Scandrett, Rondal R; Schroeder, Fritz H; Schroeder, Janna A; Shafer
 13 Family Trust u/d/t/ 4-20-95; Shirk, Neil; Shultz, Frank D; Shultz, Kirk D; Sidener Cora M;
 14 Simkins, Edward A, Jr.; Simkins, Kristina L; Sinclair, Dawn M; Sinclair, Robert K; Singley, Erin
 M; Smith, Clint D; Smith, Loretta B; Soderquist, Dan; Soderquist, Kitti; Stockwell, Robert T;
 15 Stout, Amelia M; Stout, Earl D; Street, Dan S; Street, Diane J; Sturgeon, Cheryl L; Sturgeon,
 16 Ronald L; Sturtevant, Floyd M; Sturtevant, Georgia C; Swain, David F; Swain, Mary Alice;
 Swirsky, Charley A; Swirsky, Paula; Taylor, Brian L; Taylor, Jenifer A; Taylor, Randall L;
 17 Tenbrook, Thomas; Thieme, Marsha A; Thieme, Michael D; Thomas, Charles S; Thomas, Janet
 A; Thompson, Jeanne M; Thompson, Lawrence D; Thran, Linda D; Thran, Richard W; Tola,
 18 Jean E; Tola, Paul S; Townsend, Leigh M; Tran, Laurill; Tran, Thomas M; Triplett, Edna J;
 19 Triplett, Everett M; Urrea, Robert J; Urrea, Susan T; Urschel, Ninetta M; Urschel, Victor P;
 20 Valentine, Keith; Vaught, John L; Vaught, Veronica T; Vawter, Deborah K; Vawter, Eric James;
 Walter, Beverly J; Walter, John L; Warr, Dawna L; Watters, Glenn; Watters, Helen P; Weller,
 21 Harold E; Weller, Patricia; Williams, Mary L; Williams, Stanley E; Wolf, Mark A; Wolf,
 Paulette; Woodward, Arthur R; Woodward, Bonnie L; Wright, George L; Wright, Gerald J;
 22 Wright, Laura P; Wright, Mary Lee; Adams, Lisa Ann; Adams, Steven William; Allerman,
 23 LaDell; Andersen, Peter C Trust; Arellano, Cruz Maria; Arellano, Miguel; Arlit, Michael; Arlit,
 Sherri; Beckham, Carolee B; Bell, Mark R; Benigno, Dhana; Benigno, Joe; Benton, J.R. Co.,
 24 LLC; Calka, William G; Capra, Ginger; Capra, Lloyd; Carter, Charles H; Carter, Mary K;
 25 Chavez, Jamie D; Chavez, Robert W; Christine, Lauri; Clark, Bruce A Estate; Clark, Freddie G;
 Clark, Gloria M; Clarke, Kimlana E; Claverie, John M; Cleary, John J Trust; Corbit, June K; D
 26 & G Investments; Davis, Catherine Louise; Davis, John Nicholas; Del Porto, Donna; Del Porto,
 27 Robert; Demeza, Rosa Sanchez; Diekmann, Richard J; Elder, Delvin L; Elder, Donna Carol;
 Enders, Nancy Lee; Epstein, Kim B; Epstein, Nancy L; Fenton, Jessey C; Fernandez, Janet;
 28

1 Foster, Stephanie S; Gangwish, Phillip W and Karen L Trust; Ganimian, Jeanne; Garretson,
 2 Christopher P; Grimes, Helen M; Grimes, James G; Hammond 1995 Family Trust; Hana Family
 Trust; Harris, Jerry F; Harris, Royal J; Hernandez, Elsie Douglas; Hernandez, Feliciano; Hines,
 3 Laura LaPierre-; Hines, Timothy C; Hiskett, Darlene M; Horton, Alice G; Horton, Joseph S;
 4 Hustace, Donna K; Hustace, Thomas E; Inderbieten, Linda J; Inderbieten, Robert M; Ingersoll,
 Allene; Ingersoll, Kim; Ingle, Janet L; Ingersoll, Robert; Johnson, Charles Richard; Johnson,
 5 Larry P; Johnson, Lois Florence; Johnson, Stephonie J; Kahn, Richard and Joan Trust; Kern,
 Carol M; Kirby, Jeff Homes, Inc.; Kirkpatrick, Melvin Trust; Klock, Karen; Knight, Cynthia;
 6 Knight, Martin; Lerg, Roy F Family Trust; Lewis, Kenneth; Linebarger, Neal S; Linebarger,
 Patricia A; Long, James M; Long, Rhonda L; Mason, Edward L; Mason, Jo-An P; McCammond,
 7 Wade Brian; McCammond, Crystal R; McClure, Daniel M; McClure, Rachel M Holbrook-;
 8 McGaughey, Kenneth L; McGaughey, Lois Y; McNeil, Alvin H; Meza, Bernardino; Meza,
 Ignacio; Miller, Suzanne; Mills, Robert Clifford; Mizer, Matthew C; Moon, Victoria;
 9 Oelschlager, Dorothy Trust; Ogden, Larry Jr.; Olson, Alan R; Olson, Diane G; Pangburn, Linda
 10 J; Pannozzo, Joy M; Pannozzo, Stephen C; Pederson, Wayne A; Perez, Daniel E; Perez, Melinda;
 Post, Delores; Rees Trust dtd 4-14-03; Reese, Oscar N Family Trust; Reiland, Rex W Trust;
 11 Reneau, Jack; Roberts, J & S Trust dtd 2-26-96; Roeder Family Trust dtd March 5, 2004; Rogers,
 Douglas H; Rogers, Julie A; Rycroft, George E; Rycroft, Patricia A; Sanford, Bruce K; Sanford,
 12 Lynda L; Savage, Henry L, Jr.; Savage, Laura; Shorter Jerry W; Shorter, Judith L; Singleton,
 James M; Singleton, Leah; Smith, 2003 DN Family Trust; Smith Valley Enterprises, Ltd.; Smith
 13 Valley Methodist Church; Stearns, Martin D; Stearns, Monique; Sterling Trust Company; Talbott,
 Larry F; Talbott, Sherry L; TAM Properties, Inc.; Taplin, James E; Taplin, Michele; Thomas,
 14 Robert C and Janice 2004 Trust Agreement; Thompson, Andrew E; Thompson, Dale W;
 Thompson, Edith O; Thompson, Priscilla J; Tibbals, Brock; Tibbals, Lisa; Tippetts, Ruth A;
 15 Tippetts, Thomas D; Tran, James R; Trute, M Kathy; Turnage, Robert; Tyson, Kim E; Upton,
 Russell Wayne, Sr.; Upton, Sherry Manring; Valim, Catherine M; Van Dusen, Denise C; Veil,
 16 Bryan R; Veil, Leila C; Venables, Charles N; Veterans, Tammy Jean; Vidal, Frances R; Vidal,
 T Michael; Voss, Audrey J; Wachtel, Emil Joseph; Walsh, Helena M Smith-; Walsh, James J;
 17 Walter Living Trust; Warzynski, Deborah A; Warzynski, Robert R; Watson, Troy Allen; Wellock,
 Tammy L; Wellock, William S; Welsh, Barton W; Welsh, Olivia W; Wenzel, Agnes M; Wertz,
 18 Anna L; Wertz, Donald R, Sr.; West, Cheryle A; West, Robert W, Jr.; Whipple Family 2001
 Trust; Whitlock 2002 Trust; Wilkins, Colin; Wilkins, Gale; Wilkinson, Gary and Roni Living
 19 Trust; Williams, A Harvey; Williams, John Cameron; Wilson, Patricia Ann; Wilson, Woodrow
 G; Wood, Aloha; Wood, Marty Dale; Wood, Vince; Abilla, Vicki Lynn; Adams, Barbara L.;
 20 Adams, Daniel P.; Allen, Emma; Allen, Raymond; Allen, Stanley J.; Allen, Willes E.; Aziz, Carol
 E.; Aziz, George A.; Banta, Bridget; Banta Darrell; Bellizzi, Paul A.; Bellizzi, Sandra B.; J. R.
 21 Benton Co., LLC; Berry, Matthew P.; Berry, Yvette R.; Bluff, John W. and Margaret A. Bluff
 Living Trust; Bonnet, Archie L. Sr.; Boyanich, Lila L.; Boyanich, William S.; Bradford,
 22 Nathaniel; Bradford, Suzanne; Bromps, Ronald W.; Bromps, Tedra-Kay; Brondel, Kathy L.;
 Brondel, Karen; Butterfield, Barbara L.; Butterfield, Robert B.; Button, James A.; Cain, Connie
 23 L.; Cain, Robert E.; Campi 1983 Family Trust; Capps Trust of 1996; Carlos, Clarence; Carlos,
 Rose; Carter, Korene; Carter, Victor; Carsey, Jo A.; Janet M. Cassidy Living Trust; Chacon Trust;
 24
 25
 26
 27
 28

1 Chelone, Bonnie D.; Chelone, Louis J. Sr.; Chisum, James W.; Christensen, Patrick; Christensen,
 Shirley; Christie, Cecelia M.; Clark, Michael L.; Clark, Roberta Lea; Clark, Trisha C.; Clayton,
 2 Sheila; Baker, Lois Allen; Cole, Edward F.; Cole, Marilyn E.; Cole, Robert L.; Cole, Patricia D.;
 3 Cook, Linda K.; Corbit Living Trust; Victor M. Cota and Annette L. Cota Trust Agreement dtd
 12-13-95; Cowee, Lorraine M.; Cox, Wilfred L.; Cox, William M.; Crabtree, Gary I.; Crabtree,
 4 Jeannine C.; Cramer, Robert L.; Cramer, Candy L.; Gareth A. R. Craner Trust; Croker Family
 Trust; Annett L. Crow Trust; Desert Hills Dairy, LLC; DeVault, Joseph L.; Dane and Eileen
 5 Dunham Family Trust; Eckart, Catherine L.; Elmer, Caroline; Frank H. & Dorothy H. Elwell
 Trust; Anne W. Erkkila Trust; Evans, Richard D.; Faacks, Billie J.; Faacks, Kenneth; Fisher,
 6 Kenneth W.; Focha, Judith C.; Focha, Peter A.; Frediani, Verna M.; Raymond and Carol Fuller
 Family Trust; Garland, Marcellus A.; Garland, Rosalie H.; Tedrow James and Marilyn Ruth Gates
 7 2002 Family Trust; Gonzalez, Nancy J.; Gonzalez, Ruben; Grant, Charles N., Jr.; Grant, Kerri
 H.; Griggs, Ian W.; Frances Helen Hedlund Trust; The Herbst Living Trust; Herbst, George L.;
 8 Herbst, J. Maxine; Herman, Tracy David; Hern, Carla Sue; Hill, James M.; Hill, Sheila A.;
 9 Hiskett, Michael; Hoffman, Doris M.; Hoffman, Melvin L.; Holden, Anna L.; Holden, Kirk L.;
 10 Holderman, Mark S.; Holderman, Robyn L.; Homan, Frank W.; Homan, Glenda J.; Honker
 Ranch, Inc; Hoover, Caroline; The Hoover Family Trust; The Hoverson 1994 Trust; Howell,
 11 Merlin; Walter H. And Laura J. Hubmer Family Trust; Hunewill, Claude D.; Hunewill, Florence
 M.; Hunewill, Frank E.; Hunt, Gerald; Huss, Willard F.; Hussey, Robert L.; Hussman, Loring
 12 W.; Hussman, Mary Kathleen; Jardine, Jeffrey E.; Johnston, Carol A.; Johnston, John; Jones,
 13 Marjorie Ann; Kadush, Katheryn; Kadush, Michael; Keen, Vivian D.; Keen, William; Kilby
 Family Trust; Kirk, Donna B.; Kuhl, Michele R.; Kuhl, Ronald H.; LaFleur, Felicia; LaFleur,
 14 Justin; Langdon, Dwight; Langdon, Jerilyn; Lail Family Revocable Trust Agreement; LaSalle
 Bank N A Trust; Lewis, Leo J.; Libscomb, Paul G.; Long, Heidi K.; Long, Joshua T.; Lumen,
 15 Fred A.; Lumen, Susan K.; Marcom Family Trust dtd 11-20-2000; Matlean, Milton; Morris, Daryl
 B., Sr.; Munn, Adele B.; Munn, Chester D.; Munoz, Oscar; John H. Neil Living Trust;
 16 Neiswonger, April J.; Neiswonger, Keith L.; Gary R. Nelson and Donna S. Nelson Revocable
 Trust; Nelson, Melisa L.; Christine G. Neusbaum Trust; Newman, Albert W., Jr.; Nielsen Family
 17 Trust dtd 7-12-04; Nimmo, Deborah; Nimmo, Gregg; Nolan, Virginia; Northey, Kathryn; Oakley
 Family Trust; Oehlerking, Jerry W.; Oehlerking, Kathryn J.; Ogan, Charlette F.; Ogan, John V.,
 18 Jr.; Ogden, Billy A.; Ogden, Kathy D.; Ogden, Marlin H.; Ohl, Birdella; Ohl, Robert; Olmedo,
 19 Faustino; Pardick, Harry William, Jr. 1998 Revocable Living Trust Agreement; Payne, Lissa Lee
 Herman; Pechtel, William A., Jr.; Howard B. Penney & Karen A. Penney Family Trust Agreement;
 20 Martin W. and Norma D. Petersen Trust; Petersen, Roy D.; Pfaffle, Dale F.; Pfaffle, Kathryn
 Dianne; Pillow Family Trust; Donald J. Pokorni Trust; Pommerening, Dan; Pommerening, Keri;
 21 Pope Family 1999 Trust; Power, Judith K.; Power, Kent L.; Presley, Barbara L.; Presley, Windel
 D.; Prevost, Charles A.; Prevost, Dana E.; Price Family Revocable Trust of Nov. 1998; Price
 22 Living Trust; Prince, Melvin F.; Ron and Judith Remington Trust dtd 7-13-04; Richardson, Velma
 J.; Sharlene E. Riehle Living Trust; Marilyn D. Rilling Trust; Ritter, Harold N.; Ritter, Katie J.;
 23 Robertson, Ellen A.; Robertson, Michael E.; Rosaschi, Gary A.; Rupert, Lotus R.; Rupert, Peggy
 J.; Sam, Mayany; Sampson, Cynthia M.; Sampson, Keith A.; Sanders, Eleanora R.; Scarpello,
 24 Frederick V.; Saunders, Eva; Savage, Anne L.; Scatena, Lorraine Borba; Shattock, Mildred E.;
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 27
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1 Shipley, Alice N.; Shipley, John H.; Shipman Family Trust Agreement; Shope Family Trust;
 2 Shreve Family Trust dated 2/23/95; Simmons Living Trust dtd 3-3-98; Smith, Jennifer Ann;
 3 Smithson, Elizabeth F.; Smithson, William E.; Marlyse Reed Stanley Revocable Trust; Stinson,
 4 Barxdal W.; Stinson, Dawn N.; Stitt, John M.; Stitt, Julia T.; Stottlemeyer, Charles E.;
 5 Stottlemeyer, Edna G.; Swirsky, Mary K.; Swirsky, William A.; Szeredy, Gayle A.; Szeredy,
 6 Walter; Talbott, Amos; Talbott, Jennifer; Taylor, Janet C.; Taylor, Jerry; Terrini, David E.;
 7 Thayer, Janet; Thompson, Grant; Thompson, Margaret; Tilden, Bruce A.; Townsend, Fredrick;
 8 Vogel, Beverly K.; Vogel, Bruce G.; Wagoner, Larry; Wagner, David L.; Wagner, Victoria;
 9 Wagoner, Starla; Walker, Orlyene D.; Walker, Ron; Wass, Chesley E.; Wass, Janet A.; Richard
 10 and Joy Weber Family Trust; Weiser Living Trust; Kurt M. and Nancy J. Werner dba Greene
 11 Valley Rentals; Wilson, Larry; Wilson, Linda Marie; Winans Family Trust; Winkler Family
 12 Living Trust; Wipfli, Colleen M.; Withers, Brett; Withers, Lacy; Womack, Gregory; Womack,
 13 Roy C.; June F. Woods Trust; Wright, Bonnie; Wright, Greg; Wright, Larry D.; Young, Ardell;
 14 Clyne P. Bauer Trust; Morris and Winifred M. Kahn Family Trust; Fairfield Ranch, LLC; Darlene
 15 G. Moss; Stoughton, Candace; Pinion Pines MHC, LLC; Eisenhauer, Katherine Francis; Phillips,
 16 Mary Roseanne; Lubbe, Gregg E.; Lubbe, Shelly M.; Criqui, Sherrie D.; Kozerski, Russell; J.P. &
 17 N.A. Costa Family Trust; Sterling Trust Company, fbo Kevin R. Weiss IRA; Diekmann, Cynthia
 18 Tanaka; Thom Family Trust; Diane J. Walter Trust; Roman Catholic Church; Allen, Stanley J.;
 19 Allen, Willes E.; Eagle Valley Mobile Home Estates; Arthur, Marsha K.; Arthur, Paul E.; Barlow,
 20 Holman F.; Bellew, Salley; Bellew, Daniel; Bradley, Audrey M.; Tri-State Motor Transit Co.; Tri-
 21 State Properties, LLC; Robert H. and Lydia R. Calderon Family Trust; Campbell, Nancy A.;
 22 Campbell, John A.; Canterbury, Sr., William M.; Canterbury, Kathleen R.; Cassano, Charles F.;
 23 No Worries, LLC; Chichester, Daniel; Christof, Brian S.; Clifford, Stephen M.; Cloutier, Lois
 24 Allen; Corkern, Aubrey; Coverstone, Lois A.; Coverstone, Kenneth W.; Cronan, Patricia;
 25 Yerington Enterprises; Doyle, Robert L.; Drake, Carol; Draper, Steven M.; Dreyer, Estate of
 26 Herman L.; Dumas, Paula K.; Dumas, Troy J.; Edgerle, Jean; Erbin, Guy; Farias, Elias; Farias,
 27 Dianne; Fletcher, Shirley Ann; Foster, Stephanie; Hoye Plaza, LLC; Giovacchini, Lloyd P.;
 28 Grover F. Glasner Trust; Goede, Mary J.; Goede, Donald H.; Goldsworthy, James H.;
 Goldsworthy, Myron J.; Gonzalez, Maria Camargo; Gorrindo, Lorolyn; Grant, Kathy; Griffin,
 Kathleen D.; Griffin, Patrick H.; Hansen, Cheryl; Hansen, Roger H.; Francis W. Hanson Family
 Trust; Harpster, James E.; Harpster, M. Eve; Hartman, Charles J.; Hartman, Mary A.; Haugen,
 Jeffery R.; Haugen, Katherine-Helene; Haworth, Norman C.; Hayden, Claudia K.; Hayden,
 Timothy L.; Hazen, Jaqueline V.; Heath, Barbara; Heath, Richard Lee; Hendricks, William R.;
 Hendricks, Patricia M.; Hermance, Leslie D.; Hernandez, Guadalupe; Joel Dean Herzog and
 Patricia Ann Herzog 2003 Family Trust; Higgins, Oyd H.; Higgins, Iris Y.; Hurley, Candyce A.;
 Hurley, Jerry R.; Johnston, Hal; King, Shelia E.; King, Samuel H.; Kraske, Sandra L.; Kraske,
 Jack; Landeros, Armando; Lommori, Jeffrey J.; Lommori, Wendy B.; Lummus, Raymond H.;
 McGraw, Lenn D.; McGraw, Leslie M.; Mehlschau, Carol A.; Mehlschau, John H.; Iveson,
 Kathleen R.; Iveson, William J.; Micke, Rhonda J.; Milligan, Billie D.; Milligan, Jason R.; Mizer,
 Matthew C.; Montes, Delia; Moon, Arron; Mulderick, Hazel; Munro, Delores; Neilson, Michael
 W.; Nellis, Janice; Nelson, Laurie L.; Nelson, Michael H.; Ontiveros, Elizabeth D.; Ontiveros,
 Craig S.; Patrick, V, Paul E.; Patrick, Roberta L.; Palya Family Trust; Payne, Lisa Lee Herman

1 ; Pena, Mercedes; Pena, Esteban; Powell, Tana B.; The Powell 2004 Revocable Trust; Powell,
2 Michael; Reger, Kristine; Reger, Arthur Frank; Sanchez, Leslie; Sanchez, Keno; Scott, Sherry;
3 Smith, Eola S.; Songer, Sharon L.; Tyndall, David J.; Valentino Family Trust; Vaughan,
4 Katherine; Waite, Sean; Waite, Andrea; Werner, Kurt M.; Werner, Nancy J.; Wilson, Linda M.;
5 Stephen M. and Betty C. Moyer Trust; Thrailkill, Laura M.; Bluth, Marta L.; Hiskett, Darlene;
6 Sweatt, Clifford; Bently, Donald; Fulstone, Estate of Irene E.; Roberts, Estate of George C.; Roberts,
7 Mabel R.; Rogers, Harold B.; Rogers, Alice Y.; Humphreys, Lynn Frances; Angle, Renee M.; Banta,
8 Jeff W.; Banta, Angela Ellington; De Pina, Roy; Robert J. Gill Trust dtd 6/10/2002; Cheryl Presley
9 Trust dtd 6/10/2002; Spagnol, John H.; Spagnol, Dona D.; Hulstrom, Gene E.; Hulstrom, Donna;
10 Hill, Shirley E.; Hill, Martin A.; Black, Shaun R.; Black, Stephanie A.; Lodato, Joseph S.; William
11 M. Weaver Jr. Revocable Trust; Kelly, Dena; Riddle, Judy A.; Martin, Cheryl Lynn; Jones, Scott;
12 Jones, Carol; McKinnon Living Trust; Simen, Elouise M.; Wilkerson, Dennis L.; Mudloff, Norman;
13 Muir, Linda K.; Muir, Maurice R.; Cary and Cheryl Towery Family Revocable Trust; Mulreany
14 Family Trust; Mulreany Properties, LLC; Munday, John C.; Munday, Mary W.; Larry Joe Munson
15 Trust;; McDonald, Franklin David; McDonald, Melanie L.; Jack S. and Arlene D. Oakes Trust
16 Agreement; Neddenriep, David; Neddenriep, Barbara A.; Jerry E. & Elaine M. Nansel Living Trust;
17 Wyatt J. Owens 2004 Revocable Trust; Ott, Toshiko; Clarke, Darla; Perry, L. James; Coyle, Judy;
18 Van Straten, Rodney; Kelly, Donald K.; Kelly, Suzane; Otto, Herbert E.; Otto, Woodie P.; Siri
19 O'Day and Mastelotto; Muscato, Estate of Jack; Muscato, Phyllis; Wright, Robert E.L.; Carter
20 Revocable Trust; Great Escape Properties; Bryan Masini Children's Trust; Christie, Estate of Cecelia
21 M.; Sapp, Jerry R.; Menesini, James E.; Sapp, Jeannie A.; Smilie, Jr., William J.; Smilie, Rose M.;
22 Poli Enterprises, Inc.; Price, Thomas A.; Price, Margaret M.; Maxine J. Casey Revocable Family
23 Trust; Alonzo W. and Carol M. Pearce Family Trust; Bajuk, Robert O.; Hernandez-Guerrero,
24 Martiniano; Scott, Dennis L.; Scott, Cathleen M.; Proctor, Lavern; Proctor, Norma L.; Proctor
25 Family Trust dated 5/19/01; Proctor, Derlin L.; Proctor, Wanda C.; Plamer Revocable Living Trust;
26 Doll, Phillip James; Doll, Suzan Norinne; Valdez, Emerita Aguilera; Garcia, Jesus Gutierrez;
27 Valladares, Carlos; Valladares, Margarita; Guerrero, Herculano; Guerrero, Nicolasa Tadeo; Puerta,
28 Jr., Manuel L.; Puerta, Sharon L.; : Perez, Jose Luis; : Perez, Sylvia Pineda; : Pan, Trevor; : Pan,
Derek; : Pace, Gentry M.; : Pace, Estate of Helen B.; Pace, James H.; Pace, Hattie J.; Peroddy,
James; Peroddy, Lorna F.; Perumean, Julie A.; Penaloza, Xavier; Peacher, Roger S.; Peacher,
Patricia L.; Pauly, Jeffrey M.; Pauly, Margaret M.; Robin L. Titus Family Trust; Park, William W.;
Park, Linda L.; Pierce, Jeanne E.; Panici, Richard E.; Panici, Lura A.; Race, Richard; Chesnutt,
Richard W.; Chesnutt, Loretta L.; The Dean Radtke Trust; Ramirez, Ignacio; Ramirez, Patty Jean;
Bitner, Dean G.; Bitner, Sharron P.; Redcher, Carl D.; Redcher, Donna M.; Redmon, Arthur Lee;
Redmon, Ruth E.; Redwine Family 1986 Trust; Flowers, Jeffrey; Simmons, Mark A.; Hurt, Steven
A.; Nalder, Kelly; Nalder, Daniel L.; Rice, Michael T.; Rice, Susan; Dunne, Frank; Rink, Ruth
Klinstiver; Lang, Stephen; Lang, Nancy; Lang, Robert; Roberts, William B.; Roberts, Allison J.;
Roche, James L.; Roeder, Ronald R.; Roeder, Julia A.; Rogers, Alfred; Brenda Ann Rogers Trust;
Romano, Ken; Romano, Dennis; Romano, Diane R.; Joseph Andrew Fochesato and Cathryn Jo
Bond-Fochesato Revocable Living Trust; Rosaschi, Mary; Rowley, Veronica A.; Rowley, Robert H.;
Royce, Jr., George; Algeo Family Revocable Trust; The Norman and Vivian Ruhl Living Trust;
Ruic, Anita D.; Ruic, Jay C.; Lemos, Travis; Carrillo-Ruiz, Jesus; Carrillo Smith, Debra D.; Yeagley,

1 Paul T.; Yeagley, June I.; La Fleur-Smith, Stephanie; Smith, Chad; Simpson, Richard L.; Suttor,
 2 James T.; Suttor, Lisa M.; Perry, James K.; Perry, Martha M.; Scarlett, Patricia; Stephens, Gary;
 3 Smith Valley Hall, Inc.; Aldridge, Howard; Aldridge, Rhonda; Budak, Mark D.; Alvarenga, Raul
 4 Antonio; Karabiyik, Kamil; Karabiyik, Joann; Reynolds, Frank C.; Reynolds, Vera K.; Andersen
 5 Family 1992 Trust; Titus, Robin Lee; Smith Valley Scales, Inc.; Scott, Jack A.; Sierra Nevada
 6 Geothermal, Inc.; Wickenden, James R; Wickenden, Natasha A.; Tyler, Tobi L.; Steidtmann,
 7 Howard; Hogarth, Arlyn David; Hogarth, Debra L.; The Ward Family Trust; Waller, Don A.; Waller,
 8 Kathy L.; Frederick W. Wagener and Joisa N. Wagener Family Trust; Wagener, Mark H.; Wagener,
 9 Barbara; The Woodworth Family Trust; Spurlock, Mark; Spurlock, Stacy L.; Walsh, MD, Tom J.;
 10 Walsh, Anna M.; Wipili Family Trust; (Worrell) Sanderson, Mildred I; Hanson, Gary; Hanson,
 11 Beverly; Meddles, Wilber Mark; Meddles, Maria Lisa; Cooper-Carpenter Development; Kelton,
 12 Daron Jay; Kelton, Suzanne C.; Hamlett Group LTD Partnership; Leroy H. Storke and Lois E. Storke
 13 Family Trust; Preppy Vision LLC; Wright, Robert E. L.; Eckel, Estate of Mary V; Eckel, Estate of
 14 Edgar S.; Marshall, Estate of Theron L.; McClellan, Estate of Frank; Petersen, Estate of Donald D.;
 15 Barber, Harriet C.; Barber, Estate of S. Morgan; Estate of Thera L. Marshall; Humphries, Lynn
 16 Frances; Kraske, Jack; Kraske, Sandra L.; Nagel, Diane Suzan; Stephens, Rodney Lee; Nordyke
 17 Properties, LLC; Riddle, Eldon L.; Roe, Dennis; Roe, Shannon; Westfork; Kircher, Joseph ; Riva,
 18 Herbert R; Clarke-Fairbanks, Christine R.; Riva, Herbert John; Curtis, Brent; Curtis, Jeanne;
 19 Wallace J. Cavanaugh Trust; Cavanaugh, Wallace J.; Amalgamated Minerals Intl, Inc; Pitchfork
 20 Ranch, Inc.; Giorgi, Baldo; Giorgi, Jr., Ugo; Giorgi, Elmo; Richardson, Gary W; New Hall-Daniel
 21 Ditch, Inc.; Renner & Associates, LP; Perry, James; Perry, Marti; Williams, Thomas E.; Williams,
 22 Sandra Dee; Bellizzi, Paul A.; Bellizzi, Sandra B.; Breese, Christina M.; Breese III, Walter D.;
 23 Hauan, Alan O.; Hauan, Victoria; Bertrand, Estate of Noe; Bertrand, Linville F; Braun, Charles F.;
 24 Braun, Patricia; Brinkley, Charles L.; Brinkley, Donna G.; Cornman, Robert; Lowery, William K;
 25 Lowery, Ruby M.; Marriott, Lorna; Fannerella 1991 Trust; Gerald Arthur Schmiedeberg and Victoria
 26 Anne Schmiedeberg 2001 Family Trust Agreement; Muncy, B.J.; Muncy, Ruth; William B. Jacobsen
 27 and Judith A. Jacobsen Trust Agreement; Newby, Dane; Sturgill, Jr., Robert F.; Sturgill, Deborah
 28 A.; Schroder, Austin R.; Schroder, Julia G.; Jones-Caverly, Mary Ann L.; Jones, Frederick G.;
 Richard I Mahnke & Margaret Mahnke Family Trust; Mason, Robin ; McMahon, Lorie J.;
 McMahon, Merle D.; Cathy L Kerrigan Trust DTD 12/16/05; Strople, Paul S.; Strople, Susan J.;
 Guild III, Clark Joseph; Guild, Catherine L.; Hill, Alison B.; Buchwalter, Dudley E.; Mullen Family
 Trust dtd 8/4/05; Carney Revocable Living Trust; Carney, Ruth L.; Capra, Scott A.; Capra, Kim;
 Park River Split Ranch, LLC; Castaneda, Jose J.; Denton Trust dtd 5/15/97; Davies, Gregory G.;
 Davies, Ann E.; Barton, Luverne A; Barton, Sherrie; Towe, Cora; Towe, Wilford L.; Tibbals, Joy
 M.; Metallic Ventures (U.S.), Inc.; Scalise, Joseph F.; Scalise, Farrare; Walsh, Janine Y.; Walsh,
 Stephen L.; Dorsey, Bernard; Dorsey, Ardith; Lodato, Estate of Joseph S.; Carole A. Romine Trust
 DTD 12/16/05; Hardy, Shelly M; Hardy, Theresa M.; Richard Dean and Carol Ann Ernst Family
 Trust dtd 8/26/1992; Reger, Estate of Kristine; Snyder, Jim; Snyder, Bunny; Ruben, Ann; Ruben,
 Keith; Cain, Jeffery; Cain, Linda; Dacquist, Anthony D.; Dacquist, Dominic; Dacquist, Josie;
 Funez, Roy J.; Precious Metals Recovery System LLC.; California Reconveyance Company; Nevada
 Copper, Inc.; Allen, Bernard; Allen, Margaret; Honker Gun Club; Bellew, Estate of Daniel T.;
 Bolton, Daniel Brents; Sierra Roadhouse; Coyle, Julie; Dunn Living Trust dtd 2/20/1998; Emery,

Brett A.; Fulstone, Estate of Ed; Northern Nevada Urgent Care LP; The Mary A. Hartman Family Trust; Elephant, LLC; Hoferer Sr., Robert L.; Hoferer, Arlene M; Hulstrom, Donna J.; Hulstrom, Gene E.; Kassebaum, Rita; Kassebaum, Darold; King, Kuniko; King, Roy A.; Luning, Estate of Eugene T.; Manha, Lorraine N; Manha, William D; Murphy, Dana; Murphy, Patrick; Quail Run, LTD; Norman, Tim; Parraguire, Estate of David; William H. Pennebaker 2007 Trust Agreement; GRP Loan LLC; Reed, Richard Ross; Riva, Estate of Herbert R.; Saunders, Estate of Eva; Simpson, Gerald M.; Vaccaro, Lori C.; Wescott, Donald C.; Wescott, Patricia J.; Wood, Wanda L.; Wood, Kenneth B.; Virginia Lake Mutual Water Co.; Park Livestock Company; State of California Water Resources Control Board; Baker, Christina; Topaz Lake Mobile Home Park, LLC; Berinati, Donald J.; Christiansen, Jeffrey L.; Christiansen, Jill; The Spring Valley Trust; Courtney, Jean; Courtney, Gordon; Courtney, Debra Marie; Curry, Robert R.; Dunn, Tammy M.; Robert S. Dunn and Tammy M. Dunn 1997 Revocable Family Trust; Dunn, Robert S.; Eitel-Marti, Loretta Beth; Brett A. Emery 1999 Revocable Trust dtd 12/27/1999; Eastern Sierra Unified School District; Johnson, Donald M.; Katusich, Michael; Katusich, Mary Lynne; The Trust for Public Land; California Department of Parks & Recreation; Marti, Steve; Mausbach, Judith; Reasoner, Martha; Reasoner, Gary; Schmidt, Reinhard E.; Smith, Donna; Smith, Richard; Rockhound Family 1991 Trust dtd 4/11/199; Sommers, Michael C.; Sommers, Linda; The Stevens Family trust udt 11/18/03; Swauger Ranch Inc.; Valdez, Ramon V.; Valdez, Myrna E.; Ramon V. and Myrna E. Valdez 2003 Revocable Trust uta Dated April 8, 2003; Watkins, Louis H.; Wooldridge Family Trust dtd 9/13/1988.

Counterdefendants,

All known Claimants to Groundwater and Water of the
Walker River and its Tributaries in the State of Nevada
and the State of California.

Complete Caption to be Served at a Later Date

FIRST AMENDED COUNTERCLAIM OF THE
UNITED STATES OF AMERICA

COMES NOW, the United States of America, at the request of the Secretary of Defense, the Secretary of Agriculture, and the Secretary of the Interior, by and through its undersigned attorneys, on its own behalf and for the benefit of the Walker River Paiute Tribe, the Yerington Paiute Tribe, the Bridgeport Paiute Indian Colony, and several individual Indians who are owners of allotments, either held in trust by the United States or held in restricted status by the United States, and herewith asserts the following claims:

INTRODUCTION

1. This first amended counterclaim is made for the confirmation and declaration of certain rights in the United States to the use and storage of water in, on, under and otherwise appurtenant to certain lands in the Walker River basin owned by the United States that are under the jurisdiction of the Department of Defense, the Department of Agriculture and the Department of the Interior, or, held in trust or restricted status by the United States for the benefit of individual Indians, and certain Indian Tribes. The rights set forth in this first amended counterclaim are in addition to the right to divert the natural flow of the Walker River and its tributaries, awarded to the United States in the Decree entered in this action on April 15, 1936, as amended on April 24, 1940 in United States v. Walker River Irrigation Dist., In Equity No. C-125, hereinafter, the "Decree."

JURISDICTION

2. Jurisdiction over this first amended counterclaim is pursuant to (i) the continuing jurisdiction of this Court, by virtue of the Decree entered herein, over the waters of the Walker River and its tributaries in California and Nevada; (ii) 28 U.S.C. §1345 in that the proceedings are brought by the United States; (iii) 28 U.S.C. §1367 which vests the court with supplemental jurisdiction; (iv)

1 28 U.S.C. §1651 which authorizes the court to issue all writs necessary or appropriate in aid of its
2 jurisdiction; (v) 28 U.S.C. §1331, in that this first amended counterclaim is brought by the United
3 States of America, on its own behalf and for the benefit of individual Indians, and Indian Tribes, and
4 the matter in controversy arises under the Constitution, laws or treaties of the United States.

5 6 PARTIES

7 3. Counterclaimant, the United States of America, appears in this case on its own behalf and
8 for the benefit of specified individual Indians, and certain Indian Tribes.

9 4. Counterdefendants are all claimants to water of the Walker River and its tributaries,
10 including groundwater.

11 12 GENERAL ALLEGATIONS

13 5. The United States of America, under the Decree, currently has the right to use the natural
14 flow of the waters of the Walker River and its tributaries in the amount of 26.25 cubic feet per second
15 with a priority date of November 29, 1859, to irrigate 2,100 acres of land on the Walker River
16 Reservation.

17 6. The suit commenced by the United States in 1924, under Docket Number C-125, was
18 brought to quiet title and only concerned the water rights for use on the Walker River Indian
19 Reservation as those boundaries existed at the time the suit was commenced. The suit did not
20 adjudicate the groundwater rights of any of the parties in the litigation.

21 7. Paragraph XII of the 1936 Decree, entered on April 15, 1936, was amended on April 24,
22 1940, to reflect that the Decree determined water rights "as of the 14th day of April, 1936."
23 Paragraph XIV of the Decree provides that this Court retains jurisdiction for a number of purposes,
24 including modification of the Decree.

25 8. Subsequent to April 14, 1936, numerous persons and other entities, including the United
26 States, have appropriated additional waters from the Walker River Basin and its tributaries. In many
27 instances such claims to the use of water have not been subject to any adjudicative process.

28 9. In addition to the Walker River Indian Reservation, there are other lands within the Walker

1. River Basin owned by the United States that are under the jurisdiction of the Department of Defense,
2. the Department of Agriculture and the Department of the Interior. There are also lands in the Walker
3. River Basin, in addition to the Walker River Indian Reservation, owned by the United States and held
4. in trust or restricted status for the benefit of specified individual Indians, the Bridgeport Paiute Indian
5. Colony and the Yerington Paiute Tribe.

6. These lands and their appurtenant water rights and claims for water are more particularly
7. described below.

9. FIRST CLAIM FOR RELIEF

10. WEBER RESERVOIR

11. 10. Weber Reservoir is a federally-constructed reservoir located on the Walker River Indian
12. Reservation with a storage capacity of approximately 13,000 acre feet. The reservoir was practically
13. completed in 1935, although floodgates were added in 1937. The United States, for the benefit of the
14. Walker River Paiute Tribe, is entitled to store water from the Walker River and its tributaries in
15. Weber Reservoir for all purposes recognized under federal law including but not limited to irrigation,
16. stock watering, fish and wildlife, and domestic uses.

17. 11. By the use of Weber Reservoir to store water, the Walker River Paiute Tribe can irrigate
18. more than the 2,100 acres which it presently is entitled to irrigate under the terms of the Decree.

19. 12. The right to store water in Weber Reservoir has a priority date of April 15, 1936. The
20. amount claimed is 13,000 acre-feet plus evaporation and seepage.

21. SECOND CLAIM FOR RELIEF

22. LANDS RESTORED TO WALKER RIVER RESERVATION

23. 13. Paragraphs 1-12 are incorporated herein as if fully set forth in this paragraph 13.

24. 14. The Walker River Indian Reservation was established in 1859 with a land base of
25. approximately 320,000 acres. Under the Act of May 27, 1902, 32 Stat. 260-261, the Reservation land
26. base substantially reduced. A substantial part of these original Reservation lands, however, were
27. restored to the Reservation on September 25, 1936, pursuant to the Act of June 22, 1936. The Act of
28. June 22, 1936, 49 Stat. 1806-07, authorized the Secretary of the Interior to set aside certain lands as

1 an addition to the Walker River Indian Reservation. In accordance with the legislation, by Order
2 dated September 25, 1936, the Secretary restored to the Walker River Indian Reservation
3 approximately 167,460 acres.

4 15. The United States, for the benefit of the Walker River Paiute Tribe, is entitled to use
5 water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or
6 otherwise appurtenant to the restored lands of the Reservation for all purposes recognized under
7 federal law. The restored lands of the Reservation are entitled to a federal reserved water right as of
8 the date of restoration.

9 16. The United States, for the benefit of the Walker River Paiute Tribe, is entitled to water
10 rights for the restored lands in addition to the rights now recognized for use on the lands of the
11 Reservation under the Decree.

12
13 **THIRD CLAIM FOR RELIEF**

14 **GROUNDWATER FOR ALL LANDS WITHIN WALKER RIVER RESERVATION**

15 17. The United States, for the benefit of the Walker River Paiute Tribe, is entitled to use the
16 groundwater of the Walker River basin located in, under, adjacent or otherwise appurtenant to all
17 lands of the Walker River Indian Reservation not otherwise claimed in this First Amended
18 Counterclaim.

19 18. The amount claimed is the amount necessary to fulfill the purposes of the Reservation.

20 19. The priority date claimed is November 29, 1859, or, in the alternative, April 15, 1936.

21 **FOURTH CLAIM FOR RELIEF**

22 **YERINGTON PAIUTE TRIBE**

23 20. Paragraphs 1-19 are incorporated herein as if fully set forth again in this paragraph 20.

24 21. The United States, at the request of the Secretary of the Interior, and for the benefit of the
25 Yerington Paiute Tribe, makes the following claim for water from the Walker River, its tributaries,
26 and all other water located in, on, under, adjacent or otherwise appurtenant to the lands hereinafter
27 described.

28 22. The Yerington Reservation is located in Lyon County, Nevada, approximately eighty (80)

1 miles southeast of Reno, Nevada. The Reservation contains 1,636.24 acres, of which approximately
2 22.9 acres are located within the City of Yerington, Nevada. The majority of these lands were
3 acquired pursuant to the Indian Reorganization Act, §§ 5, 7, 48 Stat. 984, 25 U.S.C. §§ 465, 467.

4 23. The United States claims federal reserved water rights for these lands with the following
5 priority dates:

6 A. Parcel 1:

7 Parcel 1 is 9.456 acres located in Section 22, T. 13 N., R. 25 E., MDM. The priority date
8 claimed is May 25, 1917, which is based on the Act of May 18, 1916, 39 Stat. 143. In the alternative,
9 the priority date claimed is April 15, 1936.

10 B. Parcel 2:

11 Parcel 2, which is sometimes referred to as Campbell Ranch, is 1,036.24 acres located in
12 portions of Sections 7, 17, 18, and 20. MDM. The priority date claimed is December 10, 1936, the date
13 of purchase, which purchase was made pursuant to the Indian Reorganization Act of 1934, §§ 5, 7, 48
14 Stat. 984, and the Act of May 9, 1935, 49 Stat. 176.

15 C. Parcel 3:

16 Parcel 3 is 120 acres located on the N1/2 of the NE1/4 OF Section 18, and the NE1/4 of the
17 NW1/4 of Section 20, T. 14 N., R. 25 E., MDM. The priority date claimed is June 18, 1940, which is
18 based on the Act of June 18, 1940, 54 Stat. 414-415. In the alternative, the priority date claimed is
19 November 15, 1941.

20 D. Parcel 4:

21 Parcel 4 is 12.91 acres in or near the Town of Yerington located within the NW1/4 of Section
22 22, T. 14 N., R. 25 E., MDM. The priority date claimed is the date of purchase, January 20, 1978.

23 E. Parcel 5:

24 Parcel 5, which is sometimes referred to as Arrowhead Ranch, is approximately 480 acres
25 located in the W1/2 and the W1/2 of the E1/2 of Section 16, T. 14 N., R. 25 E., MDM. The priority
26 date claimed is April 9, 1979.

27 24. The federal reserved water claimed for the benefit of the Yerington Paiute Tribe is claimed
28 in order to fulfill the purposes of the Reservation. In addition to the claims set forth

1 above for federal reserved rights, the United States also seeks a declaration and confirmation of the
2 water rights held under state law which have been acquired in connection with the above described
3 parcels.

4
5 **FIFTH CLAIM FOR RELIEF**

6 **BRIDGEPORT PAIUTE INDIAN COLONY**

7 25. Paragraphs 1-24 are incorporated herein as if fully set forth again in this paragraph 25.

8 26. The United States, at the request of the Secretary of the Interior, and for the benefit of the
9 Bridgeport Paiute Indian Colony makes the following claim for water from the Walker River, its
10 tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands
11 hereinafter described.

12 27. The Bridgeport Paiute Indian Colony consists of 40 acres and is located in the
13 SE1/4NE1/4, Section 28, T. 5 N., R. 25 E., MDB&M.

14 28. The United States claims federal reserved water rights for the Bridgeport Paiute Indian
15 Colony, made pursuant to an Act of Congress, 88 Stat. 1368, with a priority date of no later than
16 October 18, 1974, the date of creation of the Colony.

17 29. In addition, for the Bridgeport Paiute Indian Colony, the United States also claims water
18 rights based on California law, including but not limited to riparian, overlying and prescriptive rights,
19 if any.

20 30. The water claimed for the benefit of Bridgeport Paiute Indian Colony is claimed in order
21 to fulfill the purposes of the Colony.

22
23 **SIXTH CLAIM FOR RELIEF**

24 **GARRISON AND CLUETTE ALLOTMENTS**

25 31. Paragraphs 1-30 are incorporated herein as if fully set forth again in this paragraph 31.

26 32. The United States, at the request of the Secretary of the Interior, and for the benefit of the
27 Garrison and Cluette allottees makes the following claim for water from the Walker River, its
28 tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands

hereinafter described.

33. The Garrison and Cluette Allotments are both located in S. 17, T. 8 N., R. 23 E., MDB&M. The Garrison Allotment consists of 30.18 acres; the Cluette Allotment consists of 20.02 acres.

34. The United States claims federal reserved water rights for the Garrison and Cluette allotments, made pursuant to the Act of June 30, 1932, 47 Stat. 474, with the following priority dates:

A. Garrison Allotment:

The priority date claimed is no later than November 10, 1933. In the alternative, the priority date claimed is April 15, 1936.

B. Cluette Allotment:

The priority date claimed is no later than May 8, 1933. In the alternative, the priority date claimed is April 15, 1936.

35. In addition, for both allotments, the United States also claims water rights based on California law, including but not limited to riparian, overlying and prescriptive rights.

36. The water claimed for the benefit of the Garrison and Cluette Allottees is claimed in order to fulfill the purposes of the allotments, above and beyond any water rights already acquired under State law for these allotments.

SEVENTH CLAIM FOR RELIEF

INDIVIDUAL ALLOTMENTS

37. Paragraphs 1-36 are incorporated herein as if fully set forth in this paragraph 37.

38. The United States, at the request of the Secretary of the Interior, and for the benefit of the individual Indians, makes the following claim for water from the Walker River, its tributaries, and all other water located in, on, under, adjacent or otherwise appurtenant to the lands hereinafter described:

	Allotment #	Township	Range	Section	Portion	Area (acres)	Walker R. Basin
1	402	10N	21E	1	NW1/4	119.43	Yes
2	212	10N	21E	1	SW1/4	160	Yes

1	3	403	10N	21E	2	NE1/4	159.50	Yes
2	4	404	10N	21E	2	NW1/4	159.05	1% de
3	5	405	10N	21E	2	SW1/4	160	Partial
4	6	719	10N	21E	2	SE1/4	160	Yes
5	7	406	10N	21E	11	NW1/4	160	Partial
6	8	723	10N	21E	14	NE1/4	160	Partial
7	9	721	10N	21E	12	NW1/4	160	Yes
8	10	735	10N	21E	14	SE1/4	160	1% outside
9	11	699	10N	21E	12	SW1/4	160	Yes
10	12	698	10N	21E	12	SE1/4	160	Yes
11	13	725	10N	21E	13	NE1/4	160	Yes
12	14	726	10N	21E	13	NW1/4	160	Yes
13	15	727	10N	21E	13	SW1/4	160	Yes
14	16	718	10N	21E	13	SE1/4	160	Yes
15	17	715	10N	21E	24	NE1/4	160	Yes
16	18	716	10N	21E	24	NW1/4	160	Partial
17	19	717	10N	21E	24	SE1/4	160	Yes
18	20	682	10N	22E	1	S1/2NE1/4	80	Yes
19			10N	22E	1	SE1/4NW1/4	40	Yes
20			10N	22E	1	NE1/4NE1/4	32.69	Yes
21	21	304	10N	22E	3	S1/2NW1/4	80.01	Yes
22			10N	22E	3	NW1/4NW1/4	38.88	Yes
23			10N	22E	3	NE1/4NW1/4	38.71	Yes
24	22	303	10N	22E	4	S1/2NE1/4	80	Yes
25			10N	22E	4	NE1/4NE1/4	39.01	Yes
26			10N	22E	4	NW1/4NE1/4	39.12	Yes
27	23	289	10N	22E	4	NW1/4	158.59	Yes
28	24	288	10N	22E	4	SW1/4	160	Yes
	25	290	10N	22E	4	SE1/4	160	Yes
	26	236	10N	22E	6	NE1/4	160	Yes
	27	235	10N	22E	6	NW1/4	160	Yes
	28	237	10N	22E	6	SE1/4	160	Yes

29	238	10N	22E	7	NE1/4	160	Yes
30	276	10N	22E	7	E1/2SE1/4	80	Yes
		10N	22E	8	S1/2SW1/4	80	Yes
31	277	10N	22E	8	S1/2SE1/4	80	Yes
		10N	22E	17	N1/2NE1/4	80	Yes
32	260	11N	21E	36	NE1/4	160	Yes
33	259	11N	21E	36	NW1/4	160	Yes
34	399	11N	21E	36	N1/2SE1/4	80	Yes
		11N	21E	36	SE1/4SE1/4	40	Yes
35	257	11N	21E	25	SW1/4	160	Partial
36	258	11N	21E	25	W1/2SE1/4	80	Yes
		11N	21E	25	SE1/4SE1/4	40	Yes
37	215	11N	21E	25	NE1/4NE1/4	39.95	No
		11N	22E	30	NW1/4NW1/4	39.48	Partial
		11N	22E	30	SW1/4NW1/4	39.48	Yes
38	216	11N	22E	30	W1/2NE1/4	80	Partial
		11N	22E	30	E1/2NW1/4	80	Partial
39	217	11N	22E	30	E1/2NE1/4	80	Partial
		11N	22E	29	W1/2NW1/4	80	Partial
40	218	11N	22E	29	W1/2NE1/4	80	Partial
		11N	22E	29	E1/2NW1/4	80	Partial
41	285	11N	22E	30	E1/2SW1/4	80	Yes
		11N	22E	30	NW1/4SW1/4	39.54	Yes
		11N	22E	30	SW1/4SW1/4	39.59	Yes
42	286	11N	22E	30	SE1/4	160	Yes
43	287	11N	22E	29	SW1/4	160	Yes
44	344	11N	22E	29	SE1/4	160	Yes
45	305	11N	22E	31	E1/2NW1/4	78.02	Yes
		11N	22E	31	NW1/4NW1/4	39.67	Yes
		11N	22E	31	SW1/4NW1/4	39.76	Yes
46	306	11N	22E	31	NE1/4	160	Yes
47	400	11N	22E	31	SW1/4	159.81	Yes

48	401	11N	22E	31	SE1/4	160	Yes
49	702	12N	22E	24	NE1/4	160	Yes
50	700	12N	22E	24	NW1/4	160	Yes
51	701	12N	22E	24	SW1/4	160	Yes
52	705	12N	22E	24	SE1/4	160	Yes
53	703	12N	22E	25	NW1/4	160	Yes
54	704	12N	22E	25	SW1/4	160	Yes
55	706	12N	22E	25	SE1/4	160	Yes

39. The United States claims federal reserved water rights for 55 allotments, made pursuant to the General Allotment Act of 1887, with the following priority dates:

A. Trust Allotments 1 through 5, 7 and 21 through 48:

The priority date claimed is no later than December 31, 1895. In the alternative, the priority date claimed is April 15, 1936.

B. Trust Allotments 6 and 8 through 20:

The priority date claimed is no later than May 26, 1908. In the alternative, the priority date claimed is April 15, 1936.

C. Trust Allotments 49 through 55:

The priority date claimed is no later than December 9, 1907. In the alternative, the priority date claimed is April 15, 1936.

40. The water claimed for the benefit of individual Indian allottees is claimed in order to fulfill the purposes of the allotments.

EIGHTH CLAIM FOR RELIEF

HAWTHORNE ARMY AMMUNITION PLANT

41. Paragraphs 1-40 are incorporated herein as if fully set forth in this paragraph 41.

42. The Hawthorne Army Ammunition Plant (hereinafter "Hawthorne Reservation") was originally withdrawn and reserved from the public domain by Executive Order 4531 on October 27,

1 1926. Additional contiguous lands were withdrawn and reserved from the public domain to become
2 a part of the Hawthorne Reservation pursuant to Executive Order 5664 on July 2, 1931, Executive
3 Order 5828 on March 30, 1932 and Executive Order 6958 on February 4, 1935.

4 43. Said lands were reserved for the Hawthorne Ammunition Plant for the exclusive use and
5 benefit of the United States Navy for the development and use as an ammunition depot. In 1979, the
6 management of the Reservation was transferred to the Department of the Army.

7 44. Pursuant to 10 U.S.C. § 3062, Hawthorne's mission includes:

- 8 (1) preserving the peace and security, and providing for the defense, of the United
9 States, the Territories, Commonwealths, and possessions, and any areas occupied by
10 the United States;
11 (2) supporting the national policies;
12 (3) implementing the national objectives; and
13 (4) overcoming any nations responsible for aggressive acts that imperil the peace and
14 security of the United States.

15 45. The Hawthorne Reservation is located in Mineral County, Nevada adjacent to the town of
16 Hawthorne on the eastern slope of the Wassuk mountain range and the south shore of Walker Lake,
17 and contains approximately 147,000 acres of land dedicated to the above-stated mission.

18 46. The United States is entitled to the use of all of the waters located in, on, under, or
19 otherwise appurtenant to the lands of the Hawthorne Reservation necessary to fulfill all of the
20 purposes for which the reservation was created as recognized under federal or state law. Such lands
21 are entitled to a federal water right with a date of priority date as of the date of the withdrawal and
22 reservation from the public domain.

23 47. The United States of America has and is also entitled to state-based appropriative rights as
24 well as federally reserved water rights in both surface and underground waters, including, but not
25 limited to, aquifers, springs, seeps, rivers, streams and lakes wholly or partly on or otherwise
26 appurtenant to the Hawthorne Reservation including Walker Lake in quantities of water necessary for
27 present and future use and development of the Hawthorne Reservation and in the accomplishment of
28 its mission. This includes, but is not limited to: providing water in amounts necessary for

1 commercial, municipal and industrial operations (eg. storage, maintenance, inspection, modification,
2 testing and demilitarization of munitions); fire-fighting; administration and operation; training;
3 domestic; recreation; wildlife and livestock management; irrigation; mobilization; deployment; and
4 tactical applications. Additionally, the United States is entitled to reserved water rights for any and
5 all other purposes for which the Hawthorne Reservation was withdrawn and reserved.

6 48. The priority date of the reserved water rights for the Hawthorne Reservation, for present
7 and future use and development and the accomplishment of its mission, is October 27, 1926, the date
8 Hawthorne was originally withdrawn and reserved from the public domain.

9 49. The reserved and state water rights for the Hawthorne, Reservation for present and future
10 use and development and the accomplishment of its mission, for the purposes described in paragraphs
11 44 and 47, supra, include, but are not necessarily limited, to the following water sources, diversions,
12 storage reservoirs, and amounts:

13 (a) Cottonwood Creek/Black Beauty Reservoir: Water is diverted from the following four
14 diversion points in Cottonwood Canyon, west and south of the Town of Walker Lake and stored in
15 Black Beauty Reservoir.

16 Weir #1 - up to 220 GPM

17 Weir #2 - up to 200 GPM

18 Weir #3 - up to 400 GPM

19 Little Catch - up to 50 GPM

20 (b) Squaw Creek/Black Beauty Reservoir: Water is diverted from Squaw Creek up to 75
21 GPM and is stored in Black Beauty Reservoir.

22 (c) Rose Creek/Rose Reservoir: Water is diverted from Rose Creek up to 200 GPM and
23 stored in Rose Reservoir. Rose Reservoir has a storage capacity of 39,000,000 gallons (120 acre feet
24 (a)). Water is drawn from Rose Reservoir via a pipe line to Black Beauty Reservoir.

25 (d) Middle Rose Creek/Rose Reservoir: Water is diverted from Middle Rose Creek up to 75
26 GPM and is stored in Black Beauty Reservoir.

27 (e) House Creek/Black Beauty Reservoir: Water is diverted from House Creek up to 25 GPM
28 and is stored in Black Beauty Reservoir.

1 (f) Cat Creek Dam and Reservoir: Water from Cat Creek is stored behind Cat Creek Dam up
2 to 50,000,000 gallons (153 af). Water from Cat Creek is also stored in Black Beauty Reservoir.

3 (g) Dutch Creek: Water may be diverted from Dutch Creek in amounts necessary for the
4 future use and development of the Hawthorne Reservation and in the accomplishment of its mission.

5 (h) Black Beauty Reservoir: A 48,000,000 gallon (147 af) storage reservoir which receives,
6 or may in the future receive, its water from the sources listed in (a) through (g) above.

7 (i) Walker Lake: Sufficient water for the purposes described in paragraphs 44 and 47, supra.

8 50. The reserved water rights for the Hawthorne Reservation, for present and future use and
9 development and the accomplishment of its mission, for the purposes described in paragraphs 44 and
10 47, supra, include, but is not limited to, the following groundwater sources and amounts:

11 (a) Well #1 - 950 gpm: Located north of the Industrial Area and south of HWY 95
12 and used to supply water to the Industrial Area. This water is pumped into a storage tank to be used
13 on demand.

14 (b) Well #2 - 250 gpm: Located east of the town of Hawthorne and just south of
15 HWY 95 at the entrance to the South Magazine Area.

16 (c) Well #3 - 250 gpm: Located east of the town of Hawthorne and south of HWY
17 95 and in the Southern Magazine Area.

18 (d) Well #4 - 250 gpm: Located in the southern storage area of the installation and
19 used to supply water to the South Magazine area via a pipeline to 3 above-ground tanks.

20 (e) Well #5 - 800 gpm: Located west of Schwear Housing Area and sometimes
21 stored in Black Beauty Reservoir.

22 (f) Well #6 - 640 gpm: Supplies Babbitt and the North and Central Magazine
23 areas. The water is pumped into a 1,000,000 gallon (3 af) storage tank for use on demand.

24 (g) Well #7 - 250 gpm: Located between tank 5 and building 108-20.

25 (h) Well #8 - (total available capacity): Located on the west side of tank 6.

26 (i) Well #9 - (total available capacity): Located on the southwest side of Babbitt
27 Housing Area.

28 51. In addition to the above-listed federal reserved water rights for the Hawthorne

1 Reservation, the United States has numerous appropriative water rights some of which were acquired
2 when land was purchased by the United States of America and which subsequently became a part of
3 the Hawthorne Reservation.

4 52. In the event of a mobilization the increase in Hawthorne activities will rise to an as yet
5 unknown amount, but at a minimum of approximately 80% (European crisis) to 150% (Pacific crisis)
6 of current usage along with an attendant need for water.

8 NINTH CLAIM FOR RELIEF

9 UNITED STATES DEPARTMENT OF AGRICULTURE

10 TOIYABE NATIONAL FOREST

11 53. Paragraphs 1-52 are incorporated herein as if fully set forth in this paragraph 53.

12 54. The Toiyabe National Forest extends from the crest of the Sierra Nevada range in
13 California east to the Cambridge Hills in western Nevada. The Forest was created from several forest
14 reserves which were withdrawn from the public domain beginning in 1907.

15 55. The Toiyabe National Forest is managed under several acts of Congress (hereinafter
16 "Acts") beginning with the Organic Administration Act of 1897, ch. 2, 30 Stat. 34, 16 U.S.C. § 475
17 (1988) which provides that the purposes of the national forests are, inter alia, to "improve and protect
18 the forest within the boundaries, or for the purpose of securing favorable conditions of water flows,
19 and to furnish a continuous supply of timber for the use and necessities of citizens of the United
20 States. . . ." The national forests are also managed under the principles of the Multiple-Use
21 Sustained-Yield Act of 1960, Pub. L. No. 86-517, §§ 1 - 4, 74 Stat. 215, 16 U.S.C. §§ 528-531 (1988)
22 (hereinafter "MUSYA"), which provides that the national forests shall be administered for outdoor
23 recreation, range, timber, watershed and wildlife and fish purposes. Portions of the Toiyabe National
24 Forest are administered pursuant to the Wilderness Act (September 3, 1964) Pub. L. No. 88-577, 78
25 Stat. 890, as amended, 16 U.S.C. §§ 1131-1136 (1988). Additionally, the National Forests and Public
26 Lands of Nevada Enhancement Act of 1988, Pub. L. No. 100-550, § 5, 102 Stat. 2749, 16 U.S.C. §
27 460ccc-3 (1988) which transferred lands between the Forest Service and the Bureau of Land
28 Management, "expressly reserves the minimum quantity of water necessary to achieve the primary

1 purposes for which the lands transferred . . . are withdrawn."

2 56. The United States is entitled to use the waters from the Walker River, its tributaries, and
3 all other waters located in, on, under, or otherwise appurtenant to the lands comprising the Toiyabe
4 National Forest in the amounts of water necessary to fulfill all purposes for which the reservation was
5 created as recognized under federal or state law. Such lands are entitled to a federally reserved water
6 right with a date of priority as of the date said lands were withdrawn and reserved from the public
7 domain.

8 57. In connection with paragraph 56, supra, the United States is entitled to an instream flow
9 reserved water rights in the amounts necessary to fulfill the purposes for which the Toiyabe National
10 Forest was established under the Organic Administration Act of 1897. This includes, but is not
11 necessarily limited to, reserved water rights in amounts necessary for the maintenance of the entire
12 reach of each stream channel and all its named and unnamed tributaries lying within the Toiyabe
13 National Forest.

14 58. The United States also has and is also entitled to both reserved water rights pursuant to
15 the Organic Administration Act and the above noted subsequent Acts as well as water rights under
16 state law, both surface and underground water, both consumptive and non-consumptive, which
17 include but are not necessarily limited to, all aquifers, springs, seeps, rivers, streams, lakes and waters
18 otherwise appurtenant to the Toiyabe National Forest in the amounts necessary to fulfill all present
19 and future administrative purposes on the Toiyabe National Forest as stated in the Acts. The use of
20 these waters include or will include, but is not necessarily limited to: fire management activities,
21 erosion control, revegetation, irrigation, domestic, stockwatering and timber production, which
22 includes but is not limited to, reforestation, road construction and maintenance and silvicultural
23 treatments.

24 59. The United States also has and is also entitled to reserved water rights pursuant to the
25 Organic Administration Act and its successor Acts in both surface and groundwater which includes,
26 but is not necessarily limited to, all aquifers, springs, seeps, rivers, streams, lakes and waters
27 otherwise appurtenant to Toiyabe National Forest in the amounts necessary for fighting fires in said
28 National Forest.

60. The United States also has and is also entitled to instream flow water rights in the Toiyabe National Forest within the boundaries of the State of Nevada in the amounts of water necessary to fulfill the purpose of providing habitat for fish and wildlife and for recreational opportunities for the public. To the extent these instream flow claims are not available under state law, the United States has federal reserved water rights for the purposes set forth in the MUSYA, *supra*. In such instance, the priority date is the date of the enactment of the MUSYA, June 12, 1960.

61. The United States also has and is also entitled to riparian rights in the Toiyabe National Forest within the boundaries of the State of California for riparian Forest Service land in the amounts of water necessary to fulfill the purpose of providing watershed management, habitat for fish and wildlife and for recreational opportunities for the public. The priority date for these riparian water rights is the date the United States took title from Mexico under the Treaty of Guadalupe Hidalgo; February 2, 1848. To the extent the above instream flow claims are not available under state law, the United States has federal reserved water rights for the purposes set forth in the MUSYA, *supra*, with a priority date of June 12, 1960.

62. The United States also has and is also entitled to certain appropriative water rights, including rights that either have been permitted and certificated pursuant to Nevada or California state law, or have applications pending for appropriation before the Nevada State Engineer and before the California Water Resources Control Board. In addition, the United States of America has riparian rights pursuant to California state law.

TENTH CLAIM FOR RELIEF

UNITED STATES MARINE CORPS

MOUNTAIN WARFARE TRAINING CENTER

63. Paragraphs 1-62 are incorporated herein as if fully set forth in this paragraph 63.

64. The United States Marine Corps, Department of the Navy (Marine Corps) operates a training base known as the Mountain Warfare Training Center (hereinafter "MWTC") within the Toiyabe National Forest. The Marine Corps presence in this National Forest dates back to 1951. Pursuant to an agreement with the Forest Service, the Marine Corps uses approximately 45,635 acres of the National Forest for cold weather and mountaineering training and evaluation of prototype

1 equipment. This training area is the only site available to the Marine Corps for these activities. To
 2 support these training operations, the Marine Corps uses a 405-acre tract for a Base Camp, located at
 3 the confluence of Silver Creek and the West Walker River. Additionally, the Navy owns a family
 4 housing area 25 miles from the Base Camp.

5 65. The United States is entitled to use waters from the Walker River, its tributaries, and all
 6 other waters located in, on, under, or otherwise appurtenant to the lands of the MWTC in the amounts
 7 necessary to fulfill all purposes recognized under the federal and state law. Such lands are entitled to
 8 a priority date as of the date of the reservation.

9 66. The Marine Corps is diverting and is also entitled to certain waters pursuant to federal
 10 reserved, riparian, overlying, and appropriative water rights, including surface and groundwater
 11 sources, which are identified below:

12 a. Silver Creek:

13 Water needs of the Base Camp are supplied by surface diversions from Silver Creek and two
 14 groundwater wells, noted below. The Marine Corps uses water from Silver Creek based upon a pre-
 15 existing Forest Service claim and statement of diversion (USFS No. 9839), which is based on a
 16 riparian right, and has a priority date of 1951. Silver Creek surface water, up to 150 gpm, is diverted
 17 via a spillway located upstream of the Base Camp.

18 Silver Creek surface water is used for purposes that include, but are not limited to, training,
 19 domestic, industrial, fire protection, irrigation, construction, base hygiene, dust control, equipment
 20 and road washing, and future regulatory requirements for fire sprinkler system cross-connection
 21 control.

22 b. Base Camp Wells:

23 The Marine Corps' Base Camp domestic water demand is served by two groundwater wells,
 24 which are located in the Lower Base Camp up-gradient from all the buildings. Water is diverted from
 25 these wells up to the following amount:

26 Well No. 1 - 125 GPM.

27 Well No. 2 - 127 GPM.

28 An application for a Base Camp permit for both wells was submitted on May 26, 1993 to the

1. State of California, Department of Health Services.

2. c. Family Housing, Coleville, CA:

3. The Marine Corps also operates a family housing area on a tract approximately 40 acres in
4. size and about 25 miles from the Base Camp. The facility, owned in fee by the U.S. Navy, is located
5. within the West Walker River watershed on the eastern slope of the Sierra Nevada Mountains
6. between the towns of Topaz, Nevada and Coleville, California. More specifically, the housing
7. facility is located on the west side of highway 395, approximately 1.5 miles north of Coleville and
8. about a quarter mile from the river. The housing area's domestic water demand, including domestic
9. irrigation (lawn-watering of family gardens), is served by five wells. Water is diverted from these
10. wells up to the following amount:

11. Well No. 1 - 21 GPM

12. Well No. 2 - 27 GPM

13. Well No. 3 - 14 GPM

14. Well No. 4 - 21 GPM

15. Well No. 5 - 200 GPM

16. The State of California, Department of Health Services, granted a permit for Well Nos. 1 - 4
17. on December 15, 1986, as water permit # 86-048, and amended that permit on February 11, 1994, to
18. add Well No. 5 to the system.

19.
20. ELEVENTH CLAIM FOR RELIEF

21. BUREAU OF LAND MANAGEMENT

22. 67. Paragraphs 1-66 are incorporated herein as if fully set forth in this paragraph 67.

23. 68. Certain lands were reserved from the public domain to establish Public Water Reserves
24. No. 29, No. 70, and No. 107 (hereinafter "PWR"). These reservations were made pursuant to
25. Executive Orders dated June 1, 1915, March 8, 1920 and April 17, 1926, respectively, and are
26. administered by the Department of the Interior through the Bureau of Land Management ("BLM"),
27. except as noted below.

28. 69. The United States is entitled to the use of all of the waters located in, on, under, or

otherwise appurtenant to the lands of the PWRs necessary to fulfill all of the purposes recognized under federal or state law. Such lands, except as noted below, are entitled to a federal reserved water right with a date of priority as of the date of each individual PWR.

70. The United States has and is also entitled to reserved water rights for public springs and water holes in amounts necessary to fulfill the purposes of the PWRs described in paragraph 78. above. The priority dates are the dates the lands were withdrawn from the public domain. These reserved rights include, but are not limited to, the following:

<u>Executive Order 6/1/15 - PWR #29</u>	<u>Reserved Acres</u>	<u>Flow</u>
T. 9 N., R. 28 E., Sec. 17, SW1/4NW1/4, NW1/4SW1/4	80 ac.	1 GPM
T. 11 N., R. 28 E., Sec. 7, (unsurveyed)	125.60 ac.	1 GPM
<u>Executive Order 3/8/20 - PWR #70</u>	<u>Reserved Acres</u>	<u>Flow</u>
T. 5 N., R. 28 E., Sec. 11, SW1/4NE1/4, SE1/4NW1/4	40 ac.	All
T. 5 N., R. 28 E., Sec. 30, N1/2 of lot 5	approx. 25 ac.	All

The above two PWRs are now located on land administered by the U.S. Forest Service pursuant to the National Forests and Public Lands of Nevada Enhancement Act of 1988, Pub. L. No. 100-550, § 5, 102Stat. 2749, 16 U.S.C. § 460ccc-3 (1988).

<u>Executive Order 4/17/26 - PWR #107</u>	<u>Reserved Acres</u>	<u>Flow</u>
T. 7 N., R. 28 E., Sec. 10, E1/2SE1/4	80 ac.	5 GPM
T. 7 N., R. 28 E., Sec. 11, NW1/4SW1/4	40 ac.	5 GPM
T. 7 N., R. 28 E., Sec. 15, N1/2NE1/4, SW1/4NE1/4, SE1/4NW1/4, NE1/4SW1/4, S1/2SW1/4	280 ac.	3 GPM
T. 7 N., R. 28 E., Sec. 21, NE1/4	160 ac.	2 GPM
T. 7 N., R. 28 E., Sec. 22, NW1/4NW1/4	40 ac.	2 GPM
T. 9 N., R. 28 E., Sec. 20, N1/2NE1/4	80 ac.	1 GPM

71. The United States has acquired and is therefore entitled to certain water rights which were previously adjudicated and decreed in the C-125 Walker River Decree. These lands were acquired by the United States and are identified as follows:

<u>Legal Description</u>	<u>Water Right Acres</u>
SW1/4SE1/4, Sec. 14; NW1/4 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4, Sec. 23, T 3 N, R 25 E (C-125 Assessment, Roll # 63, Card # 105750)	160.00
Part of Claim #210 SE1/4NE1/4, E1/2SE1/4, NE1/4 SW1/4, S1/2 SW1/4, Section 23; NE1/4NE1/4, NW1/4NW1/4, Sec. 26; SW1/4SW1/4, Section 20; NW1/4 NW1/4, Section 29, T 3 N, R 25 E. (C-125 Assessment, Roll # 64, Card # 105751)	400.00

72. The United States also has and is also entitled to riparian water rights under California state law for riparian lands managed by the BLM. The priority date for lands which the United States has held continuously since taking title from Mexico under the Treaty of Guadalupe Hidalgo is February 2, 1848. In the case of acquired land, the priority date is the date the land was patented out of the public domain. The water is used for the purpose of sustaining the existing riparian vegetation and providing habitat for fish and wildlife. The above rights are appurtenant to the following stream reaches:

Virginia Creek and tributaries

Public Land

T 3 N., R 25 E.: Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15

T 4 N, R 25 E: Sections 35, 34, 27, 26, 25

Acquired land: T 3 N, R 25 E: Sections 21, 22, 23, 24, 25, 26, 27, 34, 35

Clear Water Creek and tributaries

Acquired Land

T 3 N, R 25 E: Section 12; T 4 N, R 26 E: Section 33

T 3 N, R 26 E: Sections 5, 6, 7, 18

Public Land

T 3 N, R 25 E: Section 1, 12

1 T 4 N, R 25 E: Section 24

2 T 4 N, R 26 E: Sections 31, 32, 34, 35, 30, 28, 27, 10, 14, 16, 19, 21, 22, 23

3 Aurora Canyon and tributaries - Rock Creek and other unnamed creeks

4 Public Land

T 4 N, R 25 E: Sections 1, 12, 10, 11

5 T 4 N, R 26 E: Sections 4, 3

6 T 5 N, R 25 E: Sections 35, 27, 26, 25, 24, 23, 14, 15, 12, 11, 10, 2

7 T 5 N, R 26 E: Sections 31, 32, 33, 29, 22, 21, 20, 19, 18, 17, 7, 8

8 Rough Creek and tributaries

9 Public Land

10 T 4 N, R 26 E: Sections 1, 2, 3

11 T 4 N, R 27 E: Section 6

12 T 5 N, R 26 E: Sections 35, 34, 26, 25, 24, 23, 22, 12, 13, 14

13 T 5 N, R 26 E: Sections 12, 11, 10, 9, 1, 2, 3, 4

14 T 5 N, R 27 E: Sections 31, 32, 33, 30, 29, 28, 19, 20, 18, 17, 7, 8, 9, 6

15 T 6 N, R 26 E: Sections 32, 33, 34, 35, 36

16 Including Portions of Bodie, Matastra and Rough Creeks that originate in California and flow into Nevada.

17 Bodie Creek tributaries

18 T 4 N, R 26 E: Section 12

T 4 N, R 27 E: Sections 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 15, 16 and 17

19 T 5 N, R 27 E: Sections 25, 26 and 35

20 Green Creek

21 T 4 N, R 25 E: Section 33

22 Topaz Lake Area

23 Slinkard Creek and tributaries

24 T 9 N, R 22 E: Sections 4, 5, 6, 7, 8, 9, 10, 11, 14, 18, 19, 22, 23, 26 and 30

25 Mail Creek and tributaries

26 T 8 N, R 23 E: Sections 29, 31 and 32

T 8 N, R 22 E: Sections 1, 12, 14, 23 and 26.

27
28 73. The United States is also entitled to certain appropriate water rights, including rights

1 that either have been permitted and certificated pursuant to Nevada or California state law, or have
2 applications pending for appropriation before the Nevada State Engineer and before the California
3 Water Resources Control Board. In addition, the United States has riparian rights pursuant to
4 California state law.

5
6 WHEREFORE, the United States of America, in its first amended counterclaim on its own
7 behalf and for the use and benefit of the Walker River Paiute Tribe, the Yerington Paiute Tribe, the
8 Bridgeport Paiute Indian Colony and individual Indians owning allotments in the Walker River Basin
9 prays that this court enter judgment and decree as follows:

10 (1) Quieting the title of the United States to the use in proper priority of the above-
11 claimed waters rights on its own behalf and for the use and benefit of the Walker River Paiute Tribe,
12 the Yerington Paiute Tribe, the Bridgeport Paiute Indian Colony and individual Indians owning
13 allotments in the Walker River Basin.

14 (2) Declaring that the United States, on its own behalf and for the use and benefit of
15 the Walker River Paiute Tribe, the Yerington Paiute Tribe, the Bridgeport Paiute Indian Colony and
16 individual Indians owning allotments in the Walker River Basin, are entitled to the exclusive use,
17 occupancy and right to the quiet enjoyment of such water rights in their proper priority.

18 (3) Declaring that the defendants and counterdefendants have no right, title or other
19 interest in or to the use of such water rights.

20 (4) Preliminarily and permanently enjoining the defendants and counterdefendants
21 from asserting any adverse rights, title or other interest in or to such water rights.

22 (5) Grant such other and further relief as the Court deems proper.

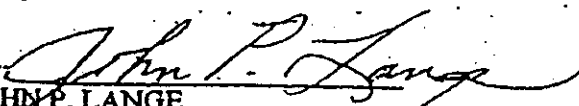
23 DONE this day of 30th day of July, 1997.

24
25 Respectfully submitted,

26 LOIS SCHIFFER

27 Assistant Attorney General
28 United States Department of Justice
Environment & Natural Resources Div.

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3 United States Attorney
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5 Reno, Nevada 89501
6 Telephone: 702 784-5439

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9 United States Department of Justice
10 Environment & Natural Resources Division
11 Indian Resources Section
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13 Denver, Colorado 80202
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20 United States Department of Justice
21 Environment & Natural Resources Division P. O. Box 7397
22 Ben Franklin Station
23 Washington, D.C. 20044-7397
24 Telephone: 202 616-9643
25
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27
28

CERTIFICATE OF SERVICE

I hereby certify that I have this 30~~th~~ day of July, 1997, served a true copy of the foregoing **FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA**, by placing same in the U. S. mails, postage prepaid, addressed as follows:

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State of Nevada
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Carson City, NV 89710

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Walker River Irrigation District
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Yerington, NV 89447

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Sacramento, CA 94814

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Tonopah, NV 89049

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Water Resources Control Bd.
State of California
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Sacramento, CA 95810

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13 Sacramento, California 95814-4407

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15 Zeh, Polaha, Spoo & Hearn
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17 Reno, Nevada 89509

18 Robert C. Anderson and Timothy Lukas
19 Hale, Lane, Peek, Dennison, Howard
20 Anderson & Pearl
21 Post Office Box 3237
22 Reno, NV 89505

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Deirdre Hills

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303/442-2021

Kelly R. Chase
P.O. Box 2860
Minden, NV 89423
702/782-3099

Attorneys for the WALKER RIVER PAIUTE TRIBE

FILED
97 JUL 31 AM 10:01
LANCIE S. WILSON
CLERK
BY
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants,

IN EQUITY NO. C-125-ECR
Subproceeding C-125-B

FIRST AMENDED
COUNTERCLAIM OF
THE WALKER RIVER
PAIUTE TRIBE

1 Acciari, Dennis; Acciari, Linda; Acciari Ranch Supply, Inc.;)
 2 Acosta, Alexis R; Acosta, Joe W; Adams, Gregory B; Adams,)
 3 Richard T; Ag Heritage Development; Aguiar, George B;)
 4 Aguiar, Janiel M; Aiazzi, Cynthia J; Aiazzi, Estelle M; Aiazzi,)
 5 Gary R; Aiazzi, Pete A; Albee, Florence M; Albee, William E;)
 6 Albright, Samuel & Cheryle Family Trust Agreement;)
 7 Aldridge, C Fred; Allen, Catherine M; Allen, Doris J; Allred,)
 8 Evan L; Alonzo, Rose M; Anaconda Minerals Co.; Anderson,)
 9 Brian D; Anker, Alton; Anker, Susan; Annett's Mono Village;)
 10 Antelope Valley Mutual Water Co.; Arcularius, Lorna Trust)
 11 Agreement; Arimetco, Inc. (International); Armstrong Family)
 12 Trust; Arrache 1990 Family Trust; Arrighi, Deborah F;)
 13 Arrighi, Mark N; Arsenio Family Trust; Ash, Kimberly L;)
 14 Atlantic Richfield Co. [ARCO]; Attaway, C & J Family Trust;)
 15 Bacon, Milton E, Jr. 1992 Trust; Bacon, Milton E; Bakker,)
 16 Douglas A; Bakker, Lora L; Balaam, Donald A; Balaam, Olga M;)
 17 Baptist 1999 Family Trust; Bar Keystone Ranch, a General)
 18 Partnership; Barber, Harriet Revocable Trust; Bartlett, Linda)
 19 Lodato; Batchelder, Josephine Shipley and Fred C 1983 Family)
 20 Trust; Bath, Barbara C; Bath, Ronald J; Batjer, Cameron M)
 21 Family Trust; Batjer, Christina; Batjer, Marybel; Bauer, Clyne)
 22 P. Trust, 1995; Beach, Donna Costa; Beckius, Kathleen M;)
 23 Bein, C Ellen; Bein, Richard H; Bell, Brian William; Bently)
 24 Family Limited Partnership; Berrington, Gary M; Berrington,)
 25 Susan P; Bitler, Ken & Peggy Family Trust; Blackford, Kathy S;)
 26 Blair, Ellen C; Blakely Family Living Trust; Blanchard 1988)
 27 Living Trust; Blasco, James M; Blasco, James M Family)
 28 Ltd. Partnership; Blasco, Pamela A; Bledsoe, Alan A; Bledsoe,)
 Carol A; Bobrick, Ruth E; Bobrick, Thomas Trust; Bobzien,)
 Dolores J; Bodenstein, Irene M; Bodenstein, J. Kirk; Boggs,)
 Pamela S; Boggs, Williams S; Bohlin, Eleanor M; Bohlin,)
 Vera J; Bohlin, William B; Bohlin, William L; Bolt, Billy F;)
 Bolton, Charles V, III; Bolton, Kelly; Bolton-Rose Trust;)
 Booth, Karen; Borsini, Dale; Borsini, Norma J; Borsini Ranch,)
 Inc.; Botelho, Jacquelyn J; Botelho, William D; Bozsik,)
 Albert S, Jr.; Bozsik, Olivia V; Bracken, Vincent S; Brackett,)
 John J; Bradshaw, Leslie; Bradshaw, Pauline;)
 Break-A-Heart, LLC; Brethauer, Clarence D; Brethauer, Janet R;)
 Bromley Family Trust; Brönneke, Samuel P Family Trust;)
 Brown, Beverly E; Brown, Darrol J; Brown, Joel Wesley;)
 Brown, Lois L; Brown, Norman D, Inc.; Brown, Ross;)
 Brown, Sandra Gail; Bryan, Elizabeth J; Bryan, John L;)
 Bryan, Vernon F, Inc.; Bunkowski, Terry L; Burchett, Joseph L;)

1 Burnett, Kenneth R; Burnett, Sharon L; Busch, Brett Alex;)
 2 Bush, Jack E; Buster, David C; Buster, Gayle L; Butterly, Ellen;)
 3 Buttlar, Jeri; Bybee Richard E. and Ronee L. 2000 Revocable)
 4 Trust Agreement; Bye, Jean Leslie; C.E.A.S. Co., Inc.;)
 5 Cabral, Joseph P & Norma J 2002 Revoc. Lvg. Trust Agreement;)
 6 Caldwell, Charles S & Lura Batjer Trust; California Dept. of Fish)
 7 & Game; Callaham, David D; Callaham, Sandra J; CalNeva)
 8 Cattle Co.; Calvest Associates; Cantrall, Nolan and Nancy Family)
 9 Trust Agreement; Capurro, Janice E Trust; Capurro, Robert S)
 10 & Suzanne Family Trust; Carey, Diane; Carey, John L; Carlin,)
 11 Paul Kent; Carlin, Shelley; Carlini, Tod F Trust; Carlson,)
 12 Bill Eric & Sharon Marie Trust Agreement; Carlson, Bill Eric;)
 13 Carlson, Sharon Marie; Carpenter Living Trust; Carpenter)
 14 Nevada, LLC; Carrasco, Elizabeth; Carrasco, Ray W; Casey,)
 15 Claudia C; Casey, Michael A; Cashell Investments, LLC;)
 16 Casino West, Inc.; Cavell, Richard J; Cefalu John N; Cefalu,)
 17 Judith A; Centennial Livestock; Chase, Helen B; Chase, Irving)
 18 Maxon Living Trust; Chase, Russell E; Chevron Resources;)
 19 Chichester, Dwain; Chichester, et al.; Chichester Ranches;)
 20 Chichester, Rhoda J; Chichester, Robert L., Jr.; Chichester,)
 21 Ross J; Chico, James V, Jr.; Chico, Jennifer; Chilcote,)
 22 David G; Chisum, Inc.; Christensen 1989 Trust; Christof, Brian S;)
 23 Cid, Elaine C; Circle Bar N Ranch, LLC; Circle Bar N Ranch,)
 24 A Nevada Partnership; Clark Family Trust; Clark, Donna K;)
 25 Clark, Patricia D; Clements Family Trust; Cliff, Donald A;)
 26 Cliff, Norman E; Cline, Caroline K; Cline, Jack R; Clugage,)
 27 Keith Dean 1985 Trust; Collins, Judy; Compston Family 1982)
 28 Trust; Compston Joint Revocable Inter Vios Trust; Congdon,)
 Peter F; Congdon, Stacy Loretz-; Cook, Gary; Cook, Margaret;)
 Cooper, John; Cooper, Robert; Costa, James P; Costa, Norma)
 Annett; Costa Ranch, LP; Cox, Kim K.; Crandall, Susan Jill;)
 Creimetti, William G Trust; Crosby, Fred; Crosby, Judy,)
 Crystal Clear Water Co., Inc.; Cummings, Marvin O;)
 Cummings, Milena; Curtis Family Trust; D & S L I, LLC;)
 D & S Waste Removal, Inc.; Dane, Frank R; Dane, Susan M;)
 Davis, Diana; Davis Family)
 Trust; Davis, Garry E & Dianne M Family Trust; Day, Sandra K;)
 Day, Stephen R; Day's Desert Creek Ltd.; DeChambeau,)
 Susannah W; Dechambeau, Scott I; Del Porto, Daniel E;)
 Del Porto, Cherryl Ann; Del Porto, Julie A; Denton, Joseph W;)
 Denton, Linda M; Desert Lake Campground; Desert Pearl Farms;)
 Diehl Family 1999 Revocable Living Trust; Diekmann, Cynthia L)
 Diekmann Trust Agreement; Dinneen Family 1997 Trust;)
 Dockum, Don M. & Cheryl F; Domenici, Joseph & Gladys)

Family Trust; Domenici-Reese, Lona Marie; Donovan, Dwight;)
 1 Donovan, Heather; Douglas County:Topaz Lake Park, Topaz)
 2 Ranch Estates Park, Topaz Ranch Estates GID; Douglas,)
 Debra A Draper-; Douglas, Steven M; Dressler, DeVere;)
 3 Dressler, Milton; Dressler, Roxanne; Dressler, Tonja; Dreyer,)
 Joan; Dreyer, Roland; Dunn, Daniel D; Dykes Family Trust;)
 4 E.L.W. Ranches, Inc.; Eaton, Joan C; Eaton, Kenneth A;)
 5 Edwards, Shelley; Ehly, Desiree; Ehly, George; Ehrhart, Janice O;))
 Ehrhart, Thomas A; Eller, Colby D; Eller, Julia C;)
 6 Elordi, Deva; Emens, Annette M; Emens, Theodore A;)
 7 Englert, Stephen; Estrada Family Trust; Evangelista, Gerardo;)
 Evangelista, Laurie; Everett, Virginia M; Ewert Family 1995)
 8 Trust; F & B Trust; F.L.M. Corporation; Fairbanks, Robert)
 9 L. [Duffer]; Fannin, Glenn D; Fannin, Tracey L; Faria, Edwin F;))
 Faria, Marty L; Farias, Carmen; Farias, Harold W; Farias, LLC;)
 10 Farias Wheel Ranch, Inc.;)
 11 Fawcett, Lawrence Edward; Fenili, Peter A; Fenili, Veronica Jean))
 Fesko Family Trust; Fine, James Samuel; Fine, Jill Marie;)
 12 First Union National Bank; Fitzpatrick, Debra; Fitzpatrick, Ted;)
 13 Five (5) C's Cottonwood Ranch, LLC; Fleck, Brenda L;)
 Fleck, Dewey A; Fletcher, Marie L; Fletcher, Michael S;)
 14 Fletcher, Ruth; Fletcher, Teri L; Fletcher, Wesley L; Floyd, Betty))
 15 Floyd, Frank; Flying A Ranch, a Nevada Limited Partnership;)
 Flying A Limited Partnership; Forrester, Pamela A; Forrester,)
 16 Wendell B; Foss, Thomas A; Four G Corporation; Fousekis,)
 17 James; Fousekis, Susana; Frade Ranch, Inc.; Franklin, Carl;)
 Franklin, D Camille; Fraser, Betty; Fraser Family Trust;)
 18 Fraser, George; Freitas, Barbara L; Freitas, Elizabeth; Freitas,)
 19 Maurice H; Frey, Kerry M; Friedhoff, George W, Jr.;)
 Friedhoff Helen; Fry, Deborah; Fry, Jill Christine; Fry, Michael;)
 20 Fry, Paul J III; Fulstone, David H Co.; Fulstone, F. M., Inc.;)
 Fulstone, James H; Fulstone, R. N. Co.; Fulstone, Steven A)
 21 1989 Trust; Funk Trust; G Lazy B Partnership; Gable, Don Ray;))
 22 Gansberg, Chris H, Jr.; Gansberg, Faye E; Garcia, Jeffrey M;)
 Garcia, Kealoha; Garms Estate; Garms, Gary J.)
 23 .& Toni J. Revocable Community Property Trust;)
 24 Garrett, Robert A; Gattuso, Kim I; Gerbig, Arden; Gerbig,)
 Evilo J; Gerrard, John R Trust; Gill, Joseph P; Giodo, Joseph)
 25 A Revocable Trust; Giorgi, Donald; Giorgi, Lynda Hunewill;)
 26 Giorgi, Ugo & Florence A Family Trust; Gisler, Otto A Trust;)
 Glasner, Grover F; Glass, Daniel G; Glass, Patricia J;)
 27 Glassburn, Ted; Glassburn Theresa; Gleason, James G;)
 28 Gleason, Marla D; Glock, Audrey; Glock, Ernest; Godde,)
 Forest G. Trust; Goffinet, Cheryl L; Goffinet, Lonnie K;)

1 Good Deed, LLC; Gordon Revocable Trust; Goss, Ronald W;)
 2 Goss, Sandra A; Graham, Gene G; Graham, Margaret F;)
 3 Granata, Helen C Estate; Gray, Mary Family Trust Agreement;)
 4 Grayot, Margaret R; Greenfield Mobile Home Park, NV LLC;)
 5 Greggersen, Marlene J; Greggersen, Paul A; Gregory Family)
 6 Trust; Groso, Angelo; Groso, David; Groso, Ernest &)
 7 Maxine Jo 2000 Family Trust; Groso, Nancy;)
 8 Guild, Rolene Pitt Living Trust;)
 9 Gutierrez, Teresa M; Guy, Willis H; Haas, Pamela J;)
 10 Hall, Craig & Kris J Family Revocable Living Trust;)
 11 Hall Family Trust Agreement; Hall, Herbert; Hall, Rachele M;)
 12 Hammack, Raymond B; Hammack, Sonya; Hammond, Judith)
 13 Revocable Living Trust; Hanks, Lawrence G; Hanson, Leona;)
 14 Hardrock Mining Co.; Hardy, Karen Lund; Hargus, John and)
 15 Blinn, Adah M. Trust; Harig, Laurie A; Harrison, Ben &)
 16 Linda Trust; Harrison, John W; Harrison, Sandra L; Hawhee,)
 17 Dianne P; Hawhee, William L; Hawkins, Margaret; Hawkins,)
 18 Terry; Hawkins, Patricia L, MD; Hawthorne, Town of;)
 19 Hawthorne Utilities; Hawthorne Water System; Hayes, Deborah A ;)
 20 Hayes, Jonathan C; Hefner, Marcia E; Hefner, Tommy M;)
 21 Heimerman, John/Leona Family Trust; Helmuth, George;)
 22 Helmuth, Pamela ; Hemsath, Richard Scott; Henderson, Robert B;)
 23 Henderson, Rose M; Henker Family Trust Agreement;)
 24 Hernandez, Audelia; Hernandez, Isidro V; Hervin, Kurt W;)
 25 Hervin, Patricia; Hervin, Reiko; Hill, B Roxann; Hill, Jon A;)
 26 Hilton Family Trust; Hiskett, Carl William; Hiskett, Phyllis Ann;)
 27 Hitchcock, Cindy L; Hitchcock, Gerald; Holbrook, Constance Y;)
 28 Holbrook, Richard H Sr.; Holbrook, Richard H & Constance Y)
 Trust; Holbrook Station RV and Mobile Home Park;)
 Holmes, Doris Trust; Homestretch Geothermal, LLC;)
 Huggans, Jan K; Hume, Jayne E; Hume, Michael T; Hunewill)
 Enterprises, LLC; Hunewill, Harvey E & Phyllis P Trust;)
 Hunewill, Janet Bliss; Hunewill Land & Livestock Co.;)
 Hunewill, Phyllis; Hunewill, Stanley L; Huntley, Mark A;)
 Hutchins, Karen; Hutchins, Leland; Hutchison Family Revocable)
 Living Trust; Huuha, Paul A; Hyne, Frances L; Hyne, Marshall;)
 Ingerson, Larry; Ingerson, Trudy; Ireland, Mariann; Ireland,)
 Ward W; Ithurburu, John; Ithurburu, Marilyn; Jacobus,)
 Samantha S; Jakobson Investment Corp.; Jason Corporation;)
 Jenkins, Joyce; Jenkins, Larry D; Jensen, Chris; Jensen, Jack E;)
 Jensen, M O; Jesch Family Trust; Johnson, Joseph W; Jones,)
 Casey M; Jones, Mary C; Jones Family Foundation, Inc.;)
 Julian, Jay & Darlene Family Trust; Jurica, Mary E; K & K)
 Water, Inc.; Kahn Family Trust of 1993; Kelley, Dr. Donald;)

Kennedy, Dale & Cleo Family Trust; King, James Allen;)
 1 King, Judith R; Knoche, Anne Tweet; Knoche, Craig F;)
 2 Kottke Living Trust; Kraft Family Trust; Kraft, Kevin;)
 Kyler, LaJune F; L & M Family Limited Partnership;)
 3 Lamoreaux, Frances Trust; Landolt, Beverly J; Landolt, Joseph G;))
 4 Landolt, Joseph G & Beverly J.Trust; Langner, Donald H;)
 Langner, Lorraine; Langner Family Trust; Lantana Ranch Family)
 5 Limited Partnership; Lapham, Joanna M; Lapham, Willis H;)
 Lawson, Nettie E; Lawson, Ronnie D, Sr.; Lazy S Lodge;)
 6 Lee Ivey Ranch, Inc.; Lee, James; Lee, Linda P; Lee, Thomas W;))
 7 Lee, Wallace J; Lehmer, Debra S; Lehmer, Steven M;)
 Leinassar, Alan S; Leinassar, Marianne; Lckumberry)
 8 Family 2001 Trust; Leland, Anne M; Leland, Britt M;)
 9 Lewis, Rob Edward; Ligtenberg Family Trust; Lind,)
 Craig R; Lind, Sandra; Linscott, Marjorie M.;)
 10 Linsenmier Jack L; Linsenmier, Wilma H;)
 11 Little, David M Family Trust Agreement; Little, Bonnie;)
 Little, David Jr.; Lloyd, Thomas L; Loll, Daniel T; Loll, Harry S;))
 12 Loll, John C; Loll, Margaret M; Loll, Phillip G; Loll, Raymond C;))
 13 Lommori Family Trust; Lommori, Joseph J and Bessie J Trust;)
 Lommori, Julio & Delia)
 14 Family Trust; Lommori, Karen I; Lommori, Kenny D;)
 Lommori, Natale, Jr.; Lommori, Scott D &)
 15 Leslie Family Trust; Ludel, Donna Lee; Ludel, Samuel Moses;)
 16 Lund, Hans N & Marie N Trust; Lyon County School District;)
 17 Lyon County Courthouse; Lyon County Public Works;)
 Lyon County, Elm Tree Cemetery; Lyon, County of; Lyon County)
 18 Fairgrounds; Lyon County Cemetery II; Mabe, James A;)
 Mabe, Sandra R; MacBride, John; MacBride, Pam A;)
 19 Madden Family Trust; Madden, Gerald; Madden, Lois;)
 20 Magee, Ruth J Revocable Trust; Mahan, Mark S; Malck, John;)
 Manha, Lorraine N; Manha, William D; Mann, Charles F;)
 21 Mann, Luetta A; Marraccini, Darrell; Marraccini, Lisa;)
 22 Marriott, Jack D; Marriott, Jane C; Marriott, Larry W;)
 Marriott, Lonnie E; Marriott Nancy; Marriott, Sandra J;)
 23 Marriott, Sandra K; Masini, Carroll G & Maria O Trust;)
 24 Masini Investments; Masini, Lawrence B; Mason Valley)
 Loyal Order of Moose; Masterson 2000 Trust; Mathas, John A;)
 25 Mathas, Nancy J; Mathewson,)
 Charles N. Trust; Mattice, Crystal Lindsey; Mattice, Duane;)
 26 Mattice, James L; Mattice, Mary L; Mattice, Dena L; Mattice,)
 27 John E; Mayne, Georganna P; Mayne, Larry A;)
 McBee, Cheryl E; McBee, Michael P; McCargar,)
 28 Doris; McCargar, Edward James, Jr.; McClain, Terry Lee;)

1 McClain, William T; McCoy, Cheryl; McCoy, Lee A Jr.;)
 2 McNamara, Carolyn K; McNamara,)
 3 Roger B; McWhirter, Mildred K Estate;)
 4 Menesini, Cynthia L [Mrs. Donald]; Menesini,)
 5 Cynthia L [Mrs. Ronald]; Menesini, Donald G; Menesini,)
 6 Edward L; Menesini, Grace; Menesini, Kristie L; Menesini,)
 7 Orlando; Menesini, Ronald D; Menesini, Randy Ellis;)
 8 Menesini, Reema Marie; Merrill, Bradford C; Merrill, Lana)
 9 Galyean; Merritt, David L; Merritt, Teresa C; Merriwether,)
 10 Sherri A; Merriwether, William A; MICA Farms, LLC;)
 11 Miller, Christie A; Miller, Dennis R; Miller, Edmund;)
 12 Miller, John M; Miller, Linda; Miller, Robert J, Jr.;)
 13 Mineral County Commissioners; Mineral County School District;)
 14 Mineral County, Mitchell, Ginger; Mitchell, Ronald; Moline,)
 15 David; Moline, Laura; Mono County; Montgomery, Mary Louise;)
 16 Moore, Harold; Moore, Harold Trust; Moore, Micki J;)
 17 Moore, Rosetta M; Moore, Steven H; Moreda, Clarence J Family)
 18 Trust Agreement; Moreda Dairy; Morgan Family 1996 Trust;)
 19 Morose, Dan C; Morose, Tara L; Moss, Jimmy A; Motley)
 20 Living Trust [12/23/70]; Motley, Patricia A; Motley, Philippa;)
 21 Motley, Robert III; Muir, Marjorie R; Muir, Thomas K;)
 22 Munson, Dolores N; Nagel, Robert R; Nagel, Shirley J;)
 23 Nannini, Anna Revocable Trust)
 24 Neibauer, John J; Neibauer, Winifred A; Nesmith)
 25 Family Trust Agreement; Neuhauser, Geneva Ruth; Neuhauser,)
 26 Larry D; State of Nevada (Nevada Dept of Transportation;)
 27 Nevada Div. of Wildlife); Nevada-Utah Assoc of Seventh Day)
 28 Adventists; Nevin, Melba; Nichols, William H; Nuti Brothers;)
 Nuti, Cynthia; Nuti, Lawrence M; Nuti, Leslie J; Nuti, Mary E;)
 Nuti, Mary R; Nuti, Michael A; Nuti, Nancy J; Nuti, Ralph E;)
 Nuti, Ralph C; Nuti Richard B; O'Banion, James R;)
 O'Sullivan Plastics Corp.; Osborne, Drew A; Osborne, Genevia L;)
 Osborne, Roy E; Oxsen Enterprises, LLC; P & V Wilkinson)
 Family Trust; Page, Jeffrey A; Page, Marilee J; Palmer, Alfred W;)
 Palmer, Joy L; Park, David Wallace; Park, Mary Kathleen;)
 Park, W B & Sons, LLC; Parraguire, David Estate; Patterson,)
 Jana L; Patterson, Robert M; Peavine Leasing, LLC;)
 Pederson, Alenzo; Peel, Michael W; Peebles, Deann; Peebles,)
 Frank T; Penrose G.I.D.; Peri & Peri; Peri & Sons Farms, Inc.;)
 Peri, David J & Pamel A Family Trust Agreement; Peri, David J;)
 Peri, James J., Jr. [Butch]; Perrin, Clarence H Testamentary Trust;)
 Perrin Dynasty Trust; Perrin Trust; Perry, Randolph E;)
 Perry, Victor A; Perumean, Mary Ann; Perumean, Pete Jr.;)
 Perumean, Phillip; Peters, Glen & Darlene Living Trust;)

1 Peterson, Jeffrey; Peterson, Marion W; Peterson, Sheri;)
 2 Pinenut Ranch Corporation; Pitchfork Ranch, Inc.; Plattner,)
 3 Nancy Jo; Plett, Pauline; Plett, Walter; Poli, Nancy;)
 4 Polizzi, Carmen Apodaca; Polizzi, Robert J; Poulsen,)
 5 Gayle S [Herman]; Prouty, Wayne M & Debra Lynn Revocable)
 6 Living Trust; Pruett Ranches, Inc.; Pumpkin Hollow Farms, Inc.;)
 7 Purrell, James E; Purrell, Karen M; Pursel, Delbert;)
 8 Pursel Farms; Pursel, James; Pursel, Melvin E 1998 Trust;)
 9 Pursel, Norma; Pursel, Norman; Pursel Ranch, a Partnership;)
 10 Pursel, Vicki; Quilici, Basil & Pauline Leveille Revocable)
 11 Living Trust; Quilici, James D; Quilici, Kathryn A;)
 12 Quiroga, Carlos G & Ofelia R Revocable Trust; Quiroga,)
 13 Guadalupe V; Quiroga, Hector; Rader, Krys; Rader, Scott D;)
 14 Raisbeck, Nancy L; Raisbeck, Peter D; Rasmussen, Kathleen;)
 15 Rasmussen, Steven; Reams, Christopher; Reams, Denise;)
 16 Regan, Ruby C Trust; Reich, Diana; Reich, Martin;)
 17 Renegade Corporation; Renner, Thomas R; Renner, Tosca M;)
 18 Reviglio, Thomas; Rhea, Dale; Richardson, Elizabeth;)
 19 Richardson, James; Rife, Deborah K; Rife, Jeffrey J; Rinasz,)
 20 Myron M; Ritter Family Trust; Ritter, John Gustave, III;)
 21 Roach, Heidi D. and Roy B. 2002 Trust; Roach, Ruby;)
 22 Roberts, Larry W; Roberts, Mary A; Robertson, Elmer C;)
 23 Robertson, Geneva K; Robinson, Helen; Roderick, Douglas)
 24 Ray & S Joann Living Trust; Roderick, Douglas Ray;)
 25 Roderick, S Joann; Rogers, Carole J; Rogers, Jeffrey A;)
 26 Rogers, Ralph S; Rogers, Sharon M; Rolston, Kenneth J;)
 27 Rolston, Linda; Romero Family Trust; Roots, David H;)
 28 Roots, Kathleen A; Rosaschi, Andrew Gene; Rosaschi, Angelo J;)
 Rosaschi, Lester & Connie Family Trust Agreement;)
 Rosaschi, Romeo Jr., Inc.; Rosaschi, Stanley Thomas Estate;)
 Rosse, Debra D; Rosse, Jerry R; Rowe, Lillian Baker;)
 Rowe, Thomas M; Rubert, Lotus R ; Rubert, Peggy J;)
 Rudd, Marie J; Runnerstrom, Rheta M; Runnerstrom, Warren G;)
 Rupe Family Trust Agreement; Rye, Cherie C; Rye, Stephen B;)
 Sandoval Albert R; Sandoval, Cecelia L; Sans, Paul P;)
 Sans, Sandra Jo; Santos, Christena M; Santos, Paul J;)
 Sario Livestock; Savage, Keith A; Savage, Virginia; Sayce,)
 Michael R & Shannon L; Scatena, Louis V; Sceirine, Beverley;)
 Sceirine, David A; Sceirine Fredericks Ranch; Sceirine, Herbert;)
 Sceirine, Herbert L & Susan L Revocable Trust; Sceirine,)
 Joseph E; Sceirine, Susan L; Schendel, Madge E; Schendel,)
 Robert J; Schirmeister Lisa A; Schram, Madeline; Schrock,)
 H. Jean Survivors Trust; Schurz Elementary; Schuster, Donna R)
 Family Trust; Sciarani, Arnold Jr. & Pauline Trust Agreement;)

1 Sciarani, Donna; Sciarani, Eugo Trust Agreement; Sciarani)
 Family Trust; Sciarani, James; Sciarani, John Trust Agreement;)
 2 Sciarani, John; Sciarani, Linda Ann; Sciarani, Paul; Sciotto,)
 Arthur P; Sciotto, Cortland O; Sciotto, Frank T; Scribner, Cynthia;)
 3 Scribner, Vance C; Seibold, Belinda A; Seifert, Judy A;)
 Seifert, Stanley D; Sepulveda, Mariana; Settelmeyer Ranches, Inc.;)
 4 Seubert Family Limited Partnership; Sharkey, Mike &)
 Carol Family Trust; Sheerin, Christopher; Sheerin, Keri A;)
 5 Shehady, Daniel P; Shehady, Donald & Teresa Trust; Sherlock,)
 6 Michael C; Shively, E Duane & Russelle B 1991 Revocable Trust;)
 7 Shoemaker, Janice; Shoemaker, Janice K Trust Agreement;)
 Sierra Pacific Power Company; Silva, Edward B; Silva, Gary Sr.;)
 8 Silverado, Inc.; Simmons, Leia H; Simmons, Patricia;)
 9 Simmons, Stanley C; Simpson, Allan R; Six N Ranch, Inc.;)
 10 Sjolín, Eunice; Skinner, Albert Carlos LLC; Smith Ann M;)
 Smith, Daniel G; Smith, Diana Lee; Smith, Ermon Wilson &)
 11 Mary Lee Family Trust; Smith, Eva L; Smith, Gaila M;)
 Smith, Grant B; Smith, Harry E; Smith, Indra; Smith Living)
 12 Trust; Smith, Mark A & Irene B Family Trust; Smith, Michael A;)
 13 Smith, Patricia Ann; Smith Ranch Partnership; Smith, Shawna S;)
 Smith Valley Cattle Feeders; Smith Valley Baptist Church;)
 14 Smith Valley Park & Recreation Board; Smith, Wesley &)
 Beverly Trust; Smith, Angela M; Smith, Diane L; Smith, Scott M;)
 15 Snook, Jean T; Snyder, Eddie R & Theresa Trust; Snyder, Frances;)
 16 Snyder Livestock Co., Inc.; Snyder, Lucy A; Soderstrom, Dave Jr.;)
 17 Soderstrom, Joan; Soilfume, Inc.; Sommer, Betty J; Sommer,)
 Leo H; Souza, Julie M; Spence 1990 Family Trust; Spinuzzi,)
 18 Peter J Jr.; Spinuzzi, Theresa D; Spradlin, Everett J;)
 Spradlin, N Jeannie; Sprague, Leland; Stacey, Kristine A;)
 19 Stacey, Roc A; Stanley, John D; Stanley, Marlyse R;)
 20 Stanton, Christy DeLong; Stanton, Kirk Andrew; Stark, Glenn M;)
 Stauffer, Keith H; Stauffer, Patricia L; Steele, Charles R;)
 21 Steele, Karen R; Steven & Susan Bohner)
 Family Trust; Stevens, Judie A; Stevens, Michael D;)
 22 Stevenson, Daniel R; Stevenson, Sharon; Stewart, Eileen F;)
 23 Stewart, Kim & Kathleen Family Trust Agreement; Stillfield,)
 Donna J; Stitt, John & Julia Living Trust; Stockton, Edward;)
 24 Stockton, Linda A; Stoneburner, Viola; Stout, Jack F;)
 25 Stout, Nancy; Stovall, Judith Lee; Strong, Charles; Strosnider)
 Family Trust; Strosnider, Inc.; Strudwick Living Trust;)
 26 Sturge Family 2001 Trust; Sturtevant, Helen M; Sullivan,)
 27 Kevin Patrick; Sundance Feedlot; Sunrise Ranch, LLC;)
 Sutter Ranch Corporation; Swainston, George W; Swainston,)
 28 Harry W; Swainston, John W; Swenson, Michelle T;)

1 Swenson, Timothy D' Taliaferro, Daniel R; Taliaferro, Jill K;)
 2 Tamagni Janice E; Tamagni, Raymond E Family Trusts;)
 3 Taylor, Dola F; Taylor, Lloyd T; Tazaki, Musaschi Taka;)
 4 Terry, Denise L; Terry, Sean C; Terschluse Family Trust;)
 5 Thacher, Caroline H; Thacher, John H; Tholke, Rachel Smith)
 6 Trust; Thom, Douglas; Thom, May; Thomas, Ami; Thomas,)
 7 Katherine L; Thomas, Terry A; Thomas, Tracy Glaze;)
 8 Thompson Family Trust; Tibbals, Carol Joyce; Tibbals, Don H;)
 9 Tibbals Family Trust Agreement; Tibbals, Joseph William;)
 10 Tijsseling, Dick G; Tijsseling, Judith A; Tilley, Jerry E Trust;)
 11 Tiscareho, Anne M; Tiscareno, Carlos J; Titus, Robin L;)
 12 Tomac, Laura; Tomac, Steven; Topaz Lake Water, Inc.;)
 13 Topaz Lodge, Inc.; Treasure, Malcolm; Treasure, Michelle R;)
 14 Turf Company, LLC; Turner, Dolores V; Turner, Howard D;)
 15 Turner, Joan C; Turner, Ross D; Turria, Linda R Trust Agreement;)
 16 Turria, Linda; Turria, Randy; Twelves Family Partnership, LLC;)
 17 Twin Properties, LLC; United States Forest Service;)
 18 Vandebroke, Debra A; Vandebroke)
 19 Jerry L; Vaughan, Julie M; Vaughan, Richard D; Vawter)
 20 Tierney Living Trust; Veil, Kelly A; Veil, Timothy C;)
 21 Verdugo, Juan; Verdugo, Maria; VGR Limited Partnership;)
 22 Vick, David W; Vick, Shelly; Villa,)
 23 Alan N; Villa, Shirley J; Virdin, Virginia Sue; Virdin, William)
 24 Michael; Vogel, Bruce G; Vogel Family Trust; Vorhies,)
 25 Victoria E; Vorhies, William L Jr.; W and L Trust; Walker,)
 26 Walker Lake Water District;)
 27 Walker Lake Working Group, Inc.; Walker Lake Apartments;)
 28 Walker River Land Corporation; Walker River Ranch Limited)
 Partnership; Walker River Irrigation District; Walsh, Janine Y;)
 Walsh, Stephen L; Warburton Family Trust; Ward, Lauren;)
 Ward, Mary Margaret; Warr, David T; Warr, John;)
 Wass Investments, A Nevada Limited Partnership; Wasser, Debi I;)
 Wasser, Robert E, Jr.; Weaver Properties, LLC; Weaver, John R)
 & Lura K Family Trust; Weed Heights Development; Weiser)
 Living Trust; Wells Fargo Home Mortgage, Inc.; West, Regina)
 Rae; Wheat, Robin; Wheeler, Earnest C; White, Douglas M;)
 White, Julie Ann; Whitney, John W; Whittier Trust Co.,)
 TTEE for George L'Abbe; Wiegand Resources, Inc.;)
 Wiggins, Alice S; Wilder, Joan; Wilens Family Trust;)
 Wilkinson, Philip; Wilkinson, Vivien; Williams, John Leonard;)
 Williams, Joni Fay; Williams, Phillip A; Williford, Michael C;)
 Williford, Virginia M; Willis, Marlene D; Willis, Randall D;)
 Willowcreek G.I.D.; Wipfli, Candyce; Wipfli, Tom;)
 Wright Living Trust; Wright, Mary M; Wright, Sandra L;)

1 Wright, Weston L; Yeager, Eloise; Yeager, F Kirk;)
 2 Yerington Associates; Yerington Church of Christ;)
 3 Yerington, City of; Yerington Public Utilities;)
 4 Yerington Water Co.; Zieman, Gene G;)
 5 Zlendick, Don R; Zlendick, Gayle K; Zwart, John J;)
 6 Zwart, Veronica L;)
 7)
 8 Abilla, Vicki Lynn; Acme Leasing, LLC; Airoso, Joseph M, Sr.;)
 9 Ammons, James T.; Anderson,)
 10 Royce W. Family Trust; Artesani Family Trust; Ayres, Harriet E.;)
 11 Bartels, Gladys; Bartels, William J., Sr.; Bawden, J. F.; Bemis,)
 12 Jack L; Bergstrom, Cynthia K.; Bergstrom, Raymond D.;)
 13 Berry, Matthew P.; Berry, Yvette R.; Borealis Mining Company;)
 14 Brandstetter Family Trust u/d/t 10-20-2004; Brueggemann, Bruce;)
 15 Brueggemann, Sherilyn E.; Bryan, Nikki A.; Bryan, Richard H.;)
 16 Butler, Gary R.; Butler, Theresa A.; Chidwick, Norma Jean Trust;)
 17 Chilton, Michael J.; Clemenis Family Trust;)
 18 Cochran, Donald R.; Cochran, Susan J.;)
 19 Cook, Gilbert E.; Cook, Linda L.; Copper Hills Bible Church,)
 20 Inc.; Cotè, Carol R.; Cotè, Louis J.; Crist, Arlien R.; Crist,)
 21 Charles J.; Davenport, John H.; Davenport, Susan (Ammons);)
 22 Day, Julie; Day, Kelli A; Day, Robert H., Jr.; Debrick, Verna N.;)
 23 Dinsmore Family Trust; Draper, Steven M.; Dunham, Arliss D.;)
 24 Dunham, Eileen A.; Easterby, Carmaletta; Easterby, David D.;)
 25 Eierman, Conrad R.; Faiferek, Lee Ann; Faiferek, Roland;)
 26 Faretto, Michael 1996 Family Trust; Fielding, Shirley A.;)
 27 Fietta, Patricia; Fulstone, Ed; Fulstone, Fred, Jr.; Gagne, John L.;)
 28 Gagne, Monica V.; Garms, Gary; Garms, Toni; Garmsland)
 Limited; Giacomini, Carole A.; Giacomini, Joseph T.; Giorgi,)
 Ugo, Jr.; GR8DEAL, LLC; Gregoris, Michel; Gregoris, Yvette P.;)
 Guild, Clark J., III; Guild, Catherine L.; Gussenhoven, Joyce L.;)
 Hanson, Gary & Beverly Trust; Harris, Mark Alan;)
 Harris, Valeria; Haskins,)
 Carrol Richard & Alice June Joint Living Trust; Hawkins,)
 Patricia L., MD; Hayden, Leland D.; Helm, Connie Parkinson-;)
 Helm, Daniel B.; Hern, Carla Sue; Hern, Michael J; Herner,)
 Elizabeth A.; Herner, James P.; Hunewill,)
 Frank E.; Hunewill, Randi Jo; Huntsberger, Linda M.;)
 Huntsberger, Richard C.; Jackson, Robert E.; Johns, Debra L.;)
 Johns, Michael P.; Johnson, Richard D.; Johnson, Sharlene M.;)
 Johnston, Carol A.; Johnston, John; Jones, Arthur L., Jr.;)
 Jones, Barbara A. and Arthur L., Sr. Trust; Jones, Debra L.;)
 Keegan, James; Kelly, Quirt; Kirk, Donna B.; LaFleur, Debra C.;)
 LaFleur, Gary P.; Lemaitre, George E.; Lemos, C. JoEllen;)

1 Lemos, Danny; Lemos, Milton J.; Lindberg, Donald H., Sr.;)
 2 Lindberg, Janice M.; Lockwood, Melvin L.; Lockwood,)
 3 Sylvia M.; Lombard, Michael; Lombard, Shelley;)
 4 MacKenzie, Lee Ann; Maddock, Douglas W.; Maddock,)
 5 Stacey L.; Martin, Cheryl Lynne Revocable Living Trust;)
 6 Masini, Lawrence C. Ranch; Mathis, Joe Robinson and)
 7 Eleanor Margherite Trust; McCormick, Hilda T.; McCormick,)
 8 Robert J.; McMinn Family Trust; Megenity, Patricia Sue;)
 9 Melton, Mattie J.;)
 10 Miller, Mary Ann; Morehouse, Linda;)
 11 Morehouse, Wayne; Muniain, Mary K.; Muniain, Raymond O.;)
 12 Myers, Francine; Myers, Travis; Nevada Onion, Inc.; Noles)
 13 Trust dated 11/08/89; O'Banion, Todd J.; Oxsen, Nancy;)
 14 Oxsen, Peter; Pellegrini, Debra I.; Pellegrini, Steven W.; Perrin,)
 15 Frances L.; Peters, Darlene F.; Peters, Glen A.; Petersen,)
 16 Martin W.; Petersen, Norma D.; Price, Charles R.; Proud,)
 17 Andrew S.; Proud, Wendy E.; RGGGS Land & Minerals, Ltd., LP;)
 18 Ragan, Leslie A.; Ragan, Steven H.; Ralston, Richard M., Jr.;)
 19 Rauber, William S. & Inlow, Patricia A. Trust; Renner, Donald W.;)
 20 Renner, LaShele M.; Rightway Investments Smith Valley, LLC;)
 21 Rink, Ruth E. 2002 Trust; Ritter, John G., Jr.; Ritter, Lucille C.;)
 22 Roark, Gladys R.; Michael G. & Paula L. Rosaschi Trust;)
 23 Ruf, Kyle A.; Ruf, Ross C.)
 24)
 25 Allen, Judy B; Allen, Roger; Ambrosia, Elaine L; Antonelli,)
 26 Adriane J; Antonelli, Robert E; Aquila, Anthony; Aquila, Shelly;)
 27 Aquila, Teresa; Ashdown, Darlene M; Awbrey, Connie M;)
 28 Awbrey, James M; Babcock, Geraldine; Babcock, Richard E;)
 Bales, Nona K; Bales, Richard B; Baptist, Joseph M; Baptist.)
 Wendy R; Bartels, Kimberly A; Bartels, Rick S; Batting,)
 Jennifer Lee; Beronio Family 1995 Trust; Berryhill, Nita M;)
 Bertolin, Bruce H; Bertolin, Judith N; Bloise, George Nickolas;)
 Boyd, Betsy J; Boyd, John L; Boydston, Kimberlee L; Boydston,)
 Monte F; Bradley, Kay M; Brewer, Robert & Doris Trust;)
 Brewer, Robert C; Brewer, Sandra L; Brondel, Karen D;)
 Brondel, Kathy L; Brown Joint Living Trust; Brown,)
 Kristine L; Brown, Oswald A; Brown, Sandra; Buchanan, Betty;)
 Buell, Betty Sue Trust Agreement; Buell, Frank M Trust)
 Agreement; Buettner, Madeline K; Buettner, Wilhelm F;)
 Buford, Rick A; Buford, Vel; Bukoskey, John J; Bukoskey,)
 Linda S; Bull Family Trust; Burr, Dianne Borsini Trust; Cairns,)
 Richard J; Capurro, Cindy; Capurro, Michael L; Cartwright,)
 Joan E; Cartwright, Roxanne Jones-; Cartwright, Tommy W;)
 Chambers, Robert M; Cirone, Allen W; Cirone, Amanda J;)

1 Clay, Susan A; Converse, Cris; Cook 1994 Revocable Living)
 Trust;)
 2 Cooper, Kevin D; Cornish, Diane L; Crabtree, Antoinette Damon;))
 Crabtree, Philip W; Criqui, Peter C; Daugherty, Michael;)
 3 Daugherty, Susan C; Davis, Carol A; DeVolld, Zoe A; Dobosh,)
 Betty M; Dobosh, Michael D, Sr.; Ellington-Peycerl, Andrea;)
 4 Elliott,)
 5 Patricia A; Elliott, Robert L; Elmer, Margaret D; Elmer,)
 Richard G; Emery, Steven M; Emery, Terri L; Fabian, Norman R;))
 6 Fell, Bud S; Flood,)
 7 Michael P; Foley, Peggy; Foley, Richard; Foley Trust dated)
 04/05/04; Garcia, Carmen;)
 8 Garcia, Rogelio M; George, Betti June; George, Carl S, Sr.;)
 9 Giannotta, Lori Linn; Giannotta, Robert Paul; Gideon, Jerry,)
 Gideon, Laverne; Gilmore, Debra A; Gilmore, Patrick A;)
 10 Giomi, Joseph E Family Trust; Giraud, Louis J; Giraud, Marie)
 Goodwill, Becky; Goodwill, Richard K; Gordon, Kathleen J;)
 11 Gordon, Robert B; Greene, Vincent N; Gregoris, Gerard;)
 12 Gregoris, Lorraine; Gregory, Eric C; Griffin, Floyd W; Griffin,)
 Heidi A Hess-; Griffin, Martha Ann; Grosvenor, Elaine L;)
 13 Gullett, Eva C; Gutierrez, Maria J; Gutierrez, Patrick; Haeckel,)
 14 Carolyn A; Haeckel, Michael B; Hall, David Allen; Hart,)
 Dublin J; Hartley, Shirley A)
 15 Hatala, Albert F; Hatala, Mary Sue; Herman, David L; Herman,)
 Fair M; Herrand, David; Herrand, Diane M; Hill, Carl E;)
 16 Hill, Michael L; Holloway, Ted J;)
 17 Homan, Kristina Fay; Hoover, David R; Hoover, Tammy L;)
 18 Horner Personal Residence Irrevocable Trust Agreement;)
 Horstmanshoff, Bruce; Howry, Michael; Hrones, Mark E;)
 19 Hughes Family Trust UDT 9-7-95; Ichord, Richard A; Ichord,)
 Shirley M; Jaquay, Michelle K; Johnson, Edward D; Johnson,)
 20 LaCinda E; Johnson, Michael L; Johnson, William Lay-Faytte)
 and Joan T Johnson Family Trust; Johnston, Hal B; Johnston,)
 21 Michael W; Johnston, Rosann M; Jones Family Trust;)
 Jones, Charles Russell & Linda C Trust; Jones, Colleen M;)
 22 Jones, Martha J; Jones, Michael L; Jones, Paul F; Jones,)
 Willie A Trust; Joplin, Betty; Joy, Donald; Joy, Lori; Jurey,)
 23 Clyde W and Sandra D Trust; Kalata, Loretta J; Kalata,)
 Theodore E; Kaltenbach, Lawrence J; Kaltenbach, Viola;)
 24 Kay, Carlene D; Kay, Frank E; Kay, Leroy C; Kay, Paul G;)
 Kelley, Francis A; Kelley, Geraldine S Trust; Kelley, Rita J;)
 25 Kienbaum, Martha C; Kilgore, James B; Kilgore, Violet D;)
 King, Robert F, Jr.; Kinsey, Peggy Leigh; Kirk, Jerri Mae;)
 26 Kleve, Jerome H; Kleve, Verna Lee;)
 27)
 28)

1 Klose, Lyle E; Knight, Madeliene M;)
 2 Knisley, Richard D; Knisley, Rosanna M; Knox, Logan &)
 3 Madge Trust; Knudson, James A; Kostenbader, Steven G;)
 4 Kotler, Gary I & Cathryn A Trust; Kraft, Ricardo M Trust;)
 5 Kraus, Arthur; Kraus, June;)
 6 Krejci, Bill F; Kretschmer, Constance M; Kretschmer, Edward L;)
 7 Kropelnicki, Alexander; Kropelnicki, Marlene R; Kuzia, Joanna;)
 8 Kuzia, Leslaw; Kuzmicki, Constantine T; Kuzmicki, Nicolee;)
 9 Kuzmicki, Russell; Labelle, Edith M; Labelle, Gary L; Lacey,)
 10 Jonathan A; Lague, Catherine R;)
 11 Lake, Elaine L; Lamb, Grace R; Lamb, Robert W; Lambert,)
 12 James C; Lambert, Patricia M; Lamkin, Helen; Lance, Lita Jean;)
 13 Lance, Mattie; Lance, Richard Dean; Landers, Jim G; Lang,)
 14 Charles M; Lang, Debra S.; Langford, John R; Lantto,)
 15 Ernest R; Lanzino, Andrew E; Lanzino, Lisa A; Lasater, James)
 16 M & Betty L Trust; Lawrence, Danny L; Lawrence, Diane L;)
 17 Ledsinger, Michael D; Lee, Jerry W; Lee, Robert E; Leffler,)
 18 Glen A; Leffler, Nadine V; Lemos, Frankie L; Lemos, Guy F;)
 19 Lemos, Jodi L; Lemos, Rodney J; Lerg, Deborah Mae; Lerg,)
 20 Roy D; Lerg, Roy D & Deborah Mae Trust; Levay, James;)
 21 Leveille, Helen; Leveille, William E; Lewis, Arena F;)
 22 Lewis, Cameron J; Lewis-Ellis, Katherine L;)
 23 Lindsey, Claude O; Locklear, Arnold J)
 24 & Lysi V Family Trust; Loori, Catherine; Lopez, Baudelio;)
 25 Lopez, Fredrick; Lopez, Maria S; Loveberg, Robert G;)
 26 Luers, Dale E; Luers, Devon S; Lumbard, Robert A; Luning,)
 27 Eugene T; Luning, Michelle S; Lunsford Family Trust; Lyman,)
 28 Stanley and Bonnie Revocable Trust; Lynch, Charlene F; Lynch,)
 Daniel B; Lyons, Della M; Lyons, Rolland R; Madera-Ramirez,)
 Otoniel; Madrid, Joseph I; Madrid, Maria E; Madsen, Russell G)
 Trust; Mainarick, Richard M; Mainarick, Susan L; Maldonado,)
 Efren E; Maldonado, Sylvia; Mamolen, Ellen M; Mamolen,)
 Samuel F; Mandeville, Margaret; Mandeville, Walter F;)
 Manus, Dwayne T; Marshall, Carrie A; Marshall, Theran L;)
 Mason, Jon E; Mason, Norene E; Massin, Michael R; Massin,)
 Nancy L; Mata, Nereo C; Mata, Onecimo;)
 Matlean, Barbara C; Matlean, Milton; Mattice, Gayle;)
 Mattice, Lewis W; May, Georgia A; Mayne, Gary F; Mayne,)
 Kathy L; McAviney, Christopher A; McAviney, John N, Jr.;)
 McCandless, Robert R and Frances L Family Trust; McClellan,)
 Frank; McDermott, Shirley J 2000 Trust; McGuire, Bettie M;)
 McGuire, Melanie; McGuire, Michael S; McKay, Gary G;)
 McKay, Lewis & Judith Family Trust; McLaughlin, Doris;)
 McMinn, Barbara Ruth; McMurray, Barbara A; McMurray,)

1 Norman H; Medaris, Joan M; Medaris, Leland H; Meerly,)
 2 Richard O; Mendoza, Jorge Negrete; Menesini, Joseph, Jr.;)
 3 Menesini, Wanda M; Merrithew, Monty C; Mestressat, Cynthia;)
 4 Mestressat, George J; Meyer, Lucinda A; Michelsen, Carole A;)
 5 Michelsen, Ronald J; Micheb, Louis R; Midyett, Patti A;)
 6 Mikonis Family Trust; Milam, Bruce; Milam, Sylvia; Miller,)
 7 Caroline S; Miller, Kris C; Miller, Owen;)
 8 Miser Family Trust; Moffitt, Lance; Moffitt, Marcia; Mollart,)
 9 Cathy S; Mollart, George W, III; Mominee, Bernard; Mominee,)
 10 Diana; Monahan, Daniel J; Monahan, Eleanor L; Monahan,)
 11 Wayne R; Montanaro, Edward C; Montanaro, Mary M;)
 12 Montero, John R; Montero, Sharon A; Montes, Benito; Montes,)
 13 Felicittas; Montes, Maria B; Montes, Oscar Ramos; Montes,)
 14 Senorino; Montes, Taurino R; Moody, John W; Moody,)
 15 Kristine R; Moore, Diana B; Moore, Jeffrey H; Moore, Mark A;)
 16 Moore, Robbin Rose; Moore, Ronald W; Moore, Sandra H;)
 17 Moore, Vickie L; Moreda, Edward J; Moreda, Gretta E; Moreda,)
 18 Janet M; Mottin, Jimmy R; Mottin, Nelda R; Mouchou, Barbara)
 19 A Trust; Mouchou, John D; Mousseau, Janet; Muniain Family)
 20 Trust; Murphy, Donna P; Nagy, Linda L; Nagy, Michael E;)
 21 Nakamua, Janet E. Thompson; Newman, Jon M; Nigos, Cynthia;)
 22 Nish, Jesse; O'Connor, John E 1996 Separate Property Trust;)
 23 O'Connor, Marlene A 1996 Separate Property Trust;)
 24 Olson, Gerald F;)
 25 Olson, Rochelle; Pedersen, Dan H; Pedersen, Karen P;)
 26 Penaloza, Oralia; Perry, Darla Clarke; Perry, Gayle A; Perry,)
 27 Janet C; Perry, L James; Petersen, Rosemary E; Pierman,)
 28 Lenda Lou; Pinion Mountain Trust; Pipkin, Jimmy D; Pipkin,)
 Rose M; Poseley, John Trust; Postal, Clark N; Prouty,)
 Wayne M, Jr.; Pugh, Gordon; Rauber, Julie M; Rauber,)
 Spencer N, Jr.; Raymond, Alice A; Raymond, Gary K;)
 Reed, Barbara J; Reed, Sandra M; Reese, Lynda C; Rienstra,)
 Ardenna K; Rienstra, Paul E; Roberts, Christina A; Roberts,)
 William P; Robinson, George F; Robinson, Kimberly J;)
 Robison, Howard R; Rodriguez-Madera, Maria Raquel;)
 Rogaczewski, David; Rogaczewski, Heather Sue; Rogers,)
 Sherrie D; Roseberry, Connie Jo; Roseberry, Kevin D; Ruble,)
 James H; Ruble, Pauline H; Sallaberry, JoAnn; Schendel Family)
 Living Trust; Schmidt, Eddie Mae; Schultz, Steven D; Schultz,)
 Theresa C; Seal, Lois A; Sebal, Frederick C; Sebal, Leona L;)
 Seitz, Pamela G Sterling; Seitz, Paul R; Seldomridge, Jeffry S;)
 Silva, Jeanne E; Silva, William J; Simmons, Larry A; Simmons,)
 Richelene; Simons, Donn; Simons, Jeanne; Singleton, Michael R;)
 Sipes, Alden Henry; Sipes, Nancy Jean; Slater, Dennis R;)

1 Slater, Kimberly Ann; Slippey, Twyla; Smith, Barbara L; Smith,)
 2 Thomas H; Spencer, Michele;)
 3 Stanton, Thomas J; Stevens, Bryan T; Stevens, Pamela M;)
 4 Stewart, Robert L; Stewart, Terrie L; Stoddard, Cheryl A;)
 5 Sullivan, Alice J; Survera, Bertrand J;)
 6 Survera, Lois C; Taylor, Adrian G; Taylor, Maria D; Tennant,)
 7 Mary Catherine; Tennant, Michael; Thiess, Dale A; Thiess,)
 8 Sharon F; Thomas, Fannie M; Thomasson, Phillip W;)
 9 Tornesello, Michael J; Towery, Cary E; Towery, Cheryl A;)
 10 Tucker, Dona C; Tucker, Phillip E;)
 11 Van Winkle, Raymond, Sr.; Verdugo, Eva;)
 12 Verdugo, Jose; Walker, Summer N; Walker, Travis L; Wallin,)
 13 Diana R; Warren, Robert James; Weaver, Yvette; Weeks,)
 14 Arlene Joy; Weeks, Mike L; Westerman, Paula S; Westerman,)
 15 Theodore N, Jr.; Whitesides, Joella J; Whitesides, Todd K;)
 16 Wilder, John J; Wilder, Lin C; Wilders, Maudy E; Wilders,)
 17 Robert; Willingham, Ada L; Willingham, Lawrence O;)
 18 Wirthwein Family Trust; Zahradnik,)
 19 Catherine M; Zahradnik, David V; Zarazua-Mata, Abel;)
 20 Zarazua-Mata, Rafaela; Zarazua-Montes, Liboria; Zippwald,)
 21 Darlene S; Zippwald, Jack C.)
 22)
 23 "A" Enterprise; Baltrusch, Sabrina; Bell, Carl D.; Beronio)
 24 Family 1995 Trust; Brown Joint Living Trust; Cates, Tonia D.)
 25 Cook 1994 Revocable Living Trust; Farrar Family Trust;)
 26 14 Sara Circle Land Trust; Giraud, Louis J; Giraud, Marie;)
 27 Rex A. & Sandra J. Hartwick Family Trust; Hayes, Edward P.)
 28 Klose, Carrie; Kreamer, Cherryl L.; Kreamer, James P.;)
 Lackore Revocable Family Trust; Leiter, Linda Kathleen;)
 Mathews, Myrtle Alberta Family Trust; Miller, Vernon L. and)
 Caroline S. Family Trust; Mouchou, Renee; Nakamura, Janet)
 E. Thompson; Sanchez, Doris S.; Sanchez, Samuel Julian;)
 Valladao Trust; Verna, Nancy A; Verna, Steven E.;)
 Williams, Murl E., Jr.)
)
 Abrott, John E; Abrott, Maralyn; Acciari, Catherine M;)
 Acciari, Joseph R; Acosta, Carole F; Acosta, Rudolph E;)
 Adams, Hazen R; Adams, Mary A; Adams, Melody A;)
 Adrian-Family Trust; Aiazzi, Denise N; Aiazzi, Pete A. and)
 Estelle M. Trust; Aiazzi, Stephen E; Aiken, Susan Sedgwick;)
 Algeo Family Revocable Trust; Altman, Carol E; Altman, Mary I;)
 Alvarez Family Revocable Living Trust; Andersen, F Elaine;)
 Andersen, Morris Jr.; Anderson, Arnold L; Anderson, Darrell E;)
 Andrews, Horton R Trust; Angeles, Ernie A; Arentz, Sam S, III;)

1 Arentz, Trudie C; Armstrong, David E; Armstrong, Marge A;)
 2 Atchison, Dennis W; Atwood, John G, Jr.; Ausmus, John A;)
 3 Balbini, Arthur Ronald Trust; Baran, James J; Baran, Susan M;)
 4 Barcellos, Vicki L; Barr, Sharron; Bartels, Marvin E; Bartlett,)
 5 Darlene; Bartlett, Donald L; Bauhofer, William L; Baumgartner,)
 6 Beverly; Baumgartner, John G; Beal, Donna J; Beal, Linda;)
 7 Beal, Steven; Bean, Kenneth R. and Ethel R. Bean Family Trust;)
 8 Beaton, Christopher S; Beaton, Darci L. Mundello-; Bell, Brian)
 9 William; Bentley, Don and Patty S. Bentley Family Trust;)
 10 Bergin, Leo P, III; Bernard, Adrian L; Bernard, Donald J;)
 11 Berrington Custom Hay Hauling, Stacking and Transportation, Inc;)
 12 Berrington, Jean M; Berry, Alta E; Berry, Barbara L; Berry,)
 13 Robert J; Berry, Stephen F; Bertrand, Linville F; Berumen, Juan)
 14 Luis Reyes; Bettencourt, Jessica M; Bettencourt, Lawrence;)
 15 Bettencourt, Mary J; Bezayiff, Julia; Bezayiff, Roger; Biggs,)
 16 Edward W; Biggs, Robin A; Bilbao, David A; Bilbao, Patricia E;)
 17 Bingeman, Gene Family Trust; Birk, Ronald G; Blackburn, Dale)
 18 G; Blackburn, Eve L; Blanks, Gerald D; Blanks, Sharon E;)
 19 Bohler, Steven A; Boileau, Gerial; Bonnet, Laurie A; Bonnet,)
 20 Mason L; Boucher, Christine; Boucher, Michael D; Bradley,)
 21 Darrell D; Bradley, Jeni; Bray, William J, Sr.; Brownell,)
 22 Camella M; Brownell, Dean G; Bruhn, Eugene L; Bruhn,)
 23 Nickels Lewis; Bryan, Gordon D; Bryan, Helen M; Chappell,)
 24 Dana; Clark, Bruce A; Cline, Carolyn K. Zieszler-; Cline, Jack R;)
 25 Crawford, Larry D; Crowley, Jon D; Crowley, Teresa G; Crumé,)
 26 Gail Herrera; Crumé, Henry Haskell; Davis, Gregory A; Davis,)
 27 Terri L; DeChambeau, Jack; DeChambeau, Susan J; Delucca)
 28 2004 Rev. Trust; Dickey, Cinda; Diekmann, David C;)
 Diekmann, Greg E; Dockum, Cheryl F; Dockum, Don M;)
 Dressler, Estate of Milton N, Sr.; Dunn, Leo Patrick 2004 Trust;)
 Echard, Deborah Lynn; Echard, James Edward; Eller, Colby D;)
 Eller, Julia C; Espitia, Margarita; Eversult, Robert A; Eversult,)
 Shirley A; Far West Construction; Flores, Angel Espitia;)
 Fowler, Penelope; Fowler, Terry G; Fuller, Robert B; Fuller,)
 Vera N; Fullerton, Carolyn J; Fulstone, R N Inc. Ranches;)
 Gardner, Ken & Dorothy Trust; Garman, William W;)
 Garrison, Annett; Garrison, Donald L; Golden Honey)
 Bear Trust; Gourley, John R; Gourley, Patricia Lynn;)
 Greenberg, Barbara Carol; Greenberg, Raymond John; Grooms)
 Family Trust; Hagen, Cheryl S; Hagen, Mike; Haight, Sonnie L;)
 Haight, Theodore David; Hakin, Carl E; Hakin, Joyce Lynn;)
 Hall, James B; Halstead, Judy; Ham, Dana C; Ham, Franklin C;)
 Hamlett, Robert A, II; Hana, Bob E; Hana, Carmela R;)
 Hansston, Anna J. Family Trust; Hanusiak, Greg; Hardesty,)

1 Gary W; Hardesty, Karen K; Hardison, James L; Hardison,)
 2 Marlene; Harker Family Trust; Harper, George R; Harper,)
 3 Patricia C; Harrell, Dennis E; Harrell, Joy; Harrington, Jean M;)
 4 Harrington, Roger A; Hawkins, Michael James; Hefner, Marcia E;))
 5 Hefner, Tommy M; Hicks Family Trust; Hipple Family Trust;)
 6 Hodges, Carol Lee; Hodges, Donald Lee; Hughes, Kathleen;)
 7 Hughes, Richard W; Hughes, Ted O and Marian Trust; Hughes,)
 8 Tony and Sharon Family Trust; Incopero, Frank Vincent;)
 9 Jones, Arthur L., Sr.; Jones, Barbara A; Jones, Debra L;)
 10 Kates, Carolyn M; Kirchner, Michael & Karen Family Trust;)
 11 Knapp, Dennis R; Kutschenreuter, Herman J; Kutschenreuter, Sue;))
 12 Laumer Living Trust; Leavitt, Brian B; Leavitt, Kim S; Lee,)
 13 Blair H; Lenning, Grace A; Lenning, James L; Litterer, Jeffrey S;))
 14 Litterer, Therese A; Lynch, Betty L; Lynch, Donald B;)
 15 MacBlane, Gary R; Mack, Eugenie H; Mack, Luther;)
 16 MacMannus, Leslie J; Maineline Vinyl Sheeting Corp.; Mason,)
 17 Bernadine K; Mason, Evered J; Mathas, John A; Mathas,)
 18 Nancy J; McCarthy, Michael R; McCarthy, Michael Ann)
 19 Campoy; McGarity, David Hoyt; McGarity, Mary Colleen;)
 20 Me-Too, Inc.; Mosby, Jack L; Mosby, Rena A;)
 21 Murphy Revocable Trust u/d/t 7-22-98; Nall, Lucille G;)
 22 Nesbit, Edwin E; Nesbit, Pamella H; Neubauer, Nancy M;)
 23 Nickum, Kelly L; Norby, Daniel A; Norman, Ruth A 1991 Trust;)
 24 Oliver, Alan W; Oliver, Jo M; Oreb Trust; Parker, Emily Grace;)
 25 Parker, Susan Emily; Parrott, Cherylin K; Parrott, Harold T;)
 26 Peck, Michael; Pepple, Grace; Pepple, James L;)
 27 Perkins, Carol Louise Family Trust; Petersen, Martin W;)
 28 Petersen, Natalie; Petersen, Norma D; Petrak, Jack R;)
 Pinion Ranch Estates, LLC; Pitt, Sharlet L. 1993 Trust; Pulido,)
 Jesse H; Pulido, Margaret G; Remick, Frank W; Remick,)
 Janice I; Riley, Patricia; Roseberry, Jacob E; Roseberry,)
 Kimberly R; SV Development; Savage, John A; Savidge, Dale A;))
 Savidge, Maureen P; Schmidt, Leonard L; Schwake,)
 Frederick W; Schwake, Patricia R; Schwandt, Rudolph A;)
 Scodak, Judy; Scodak, Stephen; Scott, Dorothy L; ,)
 Seldomridge, Patricia D; Sellers, Brenda; Sellers, Carol Jean;)
 Sellers, Frederick E; Sellers, Larry W; Seubert, Donald R and)
 Sophia Trust; Severinsen, Darrell R; Severinsen, Sheryl A;)
 Seward, John F, Sr.; Seward, Joyce A; Shaffer, Timothy M;)
 Shaw, Lee; Sherwood, Helen L; Singleton, Charles M;)
 Singleton, Rose M; Sipple, Anthony Joseph; Sipple, Cathryn A;)
 Skaggs Family Trust; Smith, Anthony K; Smith, Christine R;)
 Smith, Kenneth M; Smith, Richard R, Sr.; Smith, Shirley K;)
 Smith, William S; Solway, Nancy L; Solway, Walter T, Jr.;)

1 Soukup, Andrew J; Soukup, Lee; Soukup, Lisa; South Lyon)
 County Hospital District; Sovereign Enterprises, LLC; Spahn,)
 2 Donna J; Spezzi, Donna M; Spezzi, Stanley R; Spooner,)
 Kenneth C; Spooner, Margaret M; Springs, Carol L; Springs,)
 3 Louis D; Spurgeon, Elbert C 2004 Family Trust; Spurlock,)
 4 Melvin R; St. Jean, Wilfred and Roma Trust; Stanley Family)
 Trust dtd 12/11/97; Stanton, Michael J; Steele, Gary P; Steele,)
 5 Helen L; Steele, Stephanie L; Stephens, Kathleen E; Stephens,)
 Ronald L; Stewart, Kathleen L; Stewart, Kim K; Stiles, Nancy A;))
 6 Stokes, Albert E; Stokes, Susan M; Storey, Arthur L; Stutts,)
 Cheryl; Stutts, Larry; TPKW Family, LP; Tanaka, Cindy,)
 7 Teodorski, Tanya M; Testa, Anthony J; Testa, Judith K;)
 8 Tibbals, Joseph W; Tibbals, Margaret F; Tiscareno, Hope E;)
 Tiscareno, Juan P; Towne, Catherine L; Tucker, Richard Allan;)
 9 Tucker, Sandra Kaye; Turner, Jo Anne; Uhland Family Trust;)
 10 Urrea, Marjorie L; Valentino Family Trust; Van Norman,)
 Charles V; Van Norman, Linda Dianne; Van Winkle, Raymond W;))
 11 Vial, Sandy Marie; VonSeeburg, John A and Lorraine E)
 12 Revocable Trust; Wade/Fernley, LP; Washington, Bonnie;)
 13 Wawers, Sylvia C; Welle, Patricia C; Weller, Bessie A;)
 Weller, William H; Whitaker, Richard S; White, Kirk Family)
 14 Trust; Wiant Living Trust; Wilcox, Eric Kenneth Trust;)
 15 Wilkerson, Dennis L; Wilkerson, Elouise M; Williams, Gypsy;)
 Williams, Phyllis; Willis, Marlene D; Willis, Randall D;)
 16 Wilson, Martha; Wilson, Wylie; Wirthwein Survivor's Trust)
 17 Wray, Camille G Trust; Yerington Ventures, LLC;)
 Young, Daniel & Shelby Revocable Living Trust;)
 18 Zumpft, Charles W and Karen M Family Trust)
 19)
 Arellano, Noel; Arellano, Rosalba; Baker, Kenneth E; Baker,)
 20 Linda M; Berrington, Phyllis; Blandin, Nancy L; Bobula)
 Living Trust dtd 12/03/97; Borden, Donn T; Boudreau, Hilary H;))
 21 Boudreau, Michael P; Bowden Family Trust dtd 3/23/00; Bowen,))
 22 Mary Lisa; Bowen, Wallice; Bowman, Ann M; Bowman,)
 Wayne D; Bowman, William R; Brigham, Jeanne Diane; Brown,))
 23 David A; Brown, Rose L; Brown, Wesley W and Clara A Living)
 24 Trust; Brusse, Janet Q; Brusse, Larry A; Bump, Delbert W;)
 Bunch, Suzanne E; Burchell, Clyde E; Burchell, Teresa J;)
 25 Burton, Robert A; Bush, Lota Trust; Buskirk, Diane; Butler,)
 26 Arlene J; Butler, Donald L; Butler, Lee G; Butler, Shannel C;)
 Butcher, Terry E; Clyde, Shawn M; Clyde, Vicki A; Cooper,)
 27 Leon L; Cooper, Mary Ann; Cummings, Dianna L; Cummings,)
 Edward M; Curtis, Launa; Curtis, Steve; Cutright, Ginger L;)
 28 Cutright, Maxwell K; Dahlin, Patricia L Trust; Dalrymple,)

1 Donald D; Damron, Eunice M. Trust; Dane, Albert J; Dane,)
 2 Judy H; Daniels, Jessica Barlow; Daniels, John E; Darling,)
 3 Jim S; Darling, Sheena G; Davidson, Dennis; Davidson, Joni S;)
 4 Davidson, Nathan S; Davis Family Trust dtd 2/11/93;)
 5 Survivor's Trust of the Day Family Trust; Day, Bobby R; Day,)
 6 Helen M; Debusk, Annette G; Debusk, W Michael; Decorte,)
 7 Samuel; Decorte, Tony; DeForest, Kent; DeForest, Lisa A;)
 8 DeGeorgis, Diane; Deines, Jerry V; Deines, Virginia M;)
 9 Deitrick, April Christine; Deitrick, Kirt Allen; Del Porto,)
 10 Christi Linn; Del Porto, Frank M; Demello, Jody; Denny,)
 11 Douglas M; Denny, Martha D; DeWitt, Herman Sr.; DeWitt,)
 12 Susan M; DeWitt, Wanda J; Dibble, Deborah L; Dibble, John K;))
 13 Diehl, Anna; Diehl, Francis K; Dieneman, David P; Dieneman,)
 14 Sandi P; Dillon, Lyle J; Disbrow, Carolyn L; Disbrow, Peter H;)
 15 Doering, Jeanette; Doering, Robert E; Douglas, Barbara A;)
 16 Douglas, Michael A; Doyle Family Trust dtd 12/30/04; Dunlap,)
 17 James T; Dunlap, Vicki L; Easton, Kathryn B; Easton,)
 18 Robert L; Eberhart, Elmer L; Eckstein, Michael L; ECT Family)
 19 Trust; Edney, Lorrie; Edney, Rick W; Edwards, Scott Lee;)
 20 Eernisse, Janet B; Eernisse, Richard F; Erbin, Don; Espinoza,)
 21 Jerry M; Espinoza, Wanda L; Euler, James Crookham;)
 22 Evasovic, Les T; Evasovic, Michelle; Faacks, Billie Jean;)
 23 Faacks, Kenneth D; Falkenstein, A Jerry; Faulkner, Angel Renae;))
 24 Faulkner, Mark R; Favor, Ida Lee; Fawcett, Herbert J; Fawcett,)
 25 Kathy M; Fawcett, Roger L; Fentiman, Brenda G; Fentiman,)
 26 Donald H; Fesenmaier, Mary; Fesenmaier, Michael; Fields,)
 27 Roy O; Florio, Michael P; Focha, Judith C; Focha, Peter A;)
 28 Foss, James Edward; Fowler, Marlene A; Fowler, Walter C;)
 Frame, Charles R; Frechette, Bruce; Freeland, Matthew J;)
 Freeland, Rebecca S; Frishman, Steve; Frishman, Sue;)
 Frugoli, Walter L; Fuller, Jack R; Fuller, Reba J; Fulton,)
 Danny L; Fulstone, R N Co.; Gable Living Trust; Galantuomini,)
 Steven J; Galvin, Kaylyn; Galvin, Matthew J; Gaminiam,)
 Jeanne Trust; Gansberg, Ellen C; Gansberg, Leroy D; Gant,)
 Desiree D; Gant, Kent E; Garafano, George; Garcia, Stephen)
 C and Cheryl A Family Trust; Garmong, Gregoroy; Gates,)
 Edward A, Sr.; Gates, Susanne; Gauldin, R Jackson and)
 Kathryn B Trust dtd 3/14/97; Geissinger, Catherine L;)
 Geissinger, Mitchell J; Geissinger, Terri; Gutierrez, Alvara;)
 Gutierrez, Guadalupe; Guy, Hazel L; Guy, Lillie S;)
 Hakansson, Margaret; Hakansson, Michael; Hernandez, Juan P;)
 Hernandez, Obdulia A; Holcomb, Ronald J; Holcomb, Shauna L;))
 Jaquay, Michael Vincent; Johns, Daniel C; Johnson, Christine;)
 Johnson, Eric M; Johnson, John R; Johnson, Suzanne F;)

Jordon, Jeannette; Jordon, John E; Kimball, Johnnie F; LaFleur,)
 1 Lawrence V; LaFleur, Nicole; Mason, Margaret; McDonald,)
 2 Bill A; McDonald, Donna G; Merrill, Robert H; Moore,)
 3 Harold Trust; Morgan, Dawn S; Morgan, Jacquelyn; Morgan,)
 4 Kenneth L, Sr.; Morgan, Mark L; Nelson, Henry P, Jr.;)
 5 Nelson, Joan G; Neville Sandra F; Parmar, Inder J; Parmar,)
 6 Kathy L; Petcar Family 1997 Trust; Pierson, Norman E;)
 7 Pierson, Roxana J; Pike, Sharon L; Pinkstaff, David M;)
 8 Ramirez, Antonio; Ramirez, Maria A; Riley, Tom; Rose,)
 9 George W; Rose, Winnie O; Sanderson, Janet A; Scandrett,)
 10 Janice Ann; Scandrett, Rondal R; Schroeder, Fritz H; Schroeder,)
 11 Janna A; Shafer Family Trust u/d/t/ 4-20-95; Shirk, Neil;)
 12 Shultz, Frank D; Shultz, Kirk D; Sidener Cora M; Simkins,)
 13 Edward A, Jr.; Simkins, Kristina L; Sinclair, Dawn M;)
 14 Sinclair, Robert K; Singley, Erin M; Smith, Clint D; Smith,)
 15 Loretta B; Soderquist, Dan; Soderquist, Kitti; Stockwell,)
 16 Robert T; Stout, Amelia M; Stout, Earl D; Street, Dan S;)
 17 Street, Diane J; Sturgeon, Cheryl L; Sturgeon, Ronald L;)
 18 Sturtevant, Floyd M; Sturtevant, Georgia C; Swain, David F;)
 19 Swain, Mary Alice; Swanson, Kenneth J; Swirsky, Charley A;)
 20 Swirsky, Paula; Taylor, Brian L; Taylor, Jenifer A; Taylor,)
 21 Randall L; Tenbrook, Thomas; Thieme, Marsha A; Thieme,)
 22 Michael D; Thomas, Charles S; Thomas, Janet A; Thompson,)
 23 Jeanne M; Thompson, Lawrence D; Thran, Linda D; Thran,)
 24 Richard W; Tola, Jean E; Tola, Paul S; Townsend, Leigh M;)
 25 Townsend, Pauline H; Tran, Laurill; Tran, Thomas M;)
 26 Triplett, Edna J; Triplett, Everett M; Urrea, Robert J; Urrea,)
 27 Susan T; Urschel, Ninetta M; Urschel, Victor P; Valentine,)
 28 Keith; Vaught, John L; Vaught, Veronica T; Vawter, Deborah K;)
 Vawter, Eric James; Walter, Beverly J; Walter, Diane J;)
 Walter, John L; Warr, Dawna L; Watters, Glenn; Watters,)
 Helen P; Weaver, Dayleen; Weaver, Vince; Weller, Harold E;)
 Weller, Patricia; Williams, Mary L; Williams, Stanley E;)
 Wolf, Mark A; Wolf, Paulette; Wood, Judith Lee; Woodward,)
 Arthur R; Woodward, Bonnie L; Wright, George L; Wright,)
 Gerald J; Wright, Laura P; Wright, Mary Lee)

Adams, Lisa Ann; Adams, Steven William; Allerman, LaDell;)
 Andersen, Peter C Trust; Arellano, Cruz Maria; Arellano, Miguel)
 Arlit, Michael; Arlit, Sherri; Beckham, Carolee B; Bell, Mark R;)
 Benigno, Dhana; Benigno, Joe; Calka, William G; Capra,)
 Ginger; Capra, Lloyd; Carter, Charles H; Carter, Mary K;)
 Chavez, Jamie D; Chavez, Robert W; Christine, Lauri; Clark,)
 Bruce A Estate; Clark, Freddie G; Clark, Gloria M; Clarke,)

Kimlana E; Claverie, John M; Cleary, John J Trust; Corbit,)
 1 June K; D & G Investments; Davis, Catherine Louise; Davis)
 John Nicholas; Del Porto, Donna; Del Porto, Robert; Demeza,)
 2 Rosa Sanchez; Diekmann, Richard J; Dillon, Lyle J Estate;)
 Eckstein, Clemencia C; Elder, Delvin L; Elder, Donna Carol;)
 3 Enders, Nancy Lee; Epstein, Kim B; Epstein, Nancy L; Fenton,)
 4 Jessey C; Fernandez, Janet; Foster, Stephanie S; Gangwish,)
 5 Phillip W and Karen L Trust; Ganimian, Jeanne; Garretson,)
 Christopher P; Grimes, Helen M; Grimes, James G; Hammond)
 6 1995 Family Trust; Hana Family Trust; Harris, Jerry F; Harris,)
 7 Royal J; Hernandez, Elsie Douglas; Hernandez, Feliciano;)
 Hines, Laura LaPierre-; Hines, Timothy C; Hiskett, Darlene M;)
 8 Horton, Alice G; Horton, Joseph S; Hustace, Donna K; Hustace,)
 9 Thomas E; Hutchison, James C and Florence M Trust;)
 Inderbieten, Linda J; Inderbieten, Robert M; Ingersoll, Allene;)
 10 Ingersoll, Kim; Ingle, Janet L; Ingersoll, Robert; Johnson,)
 11 Charles Richard; Johnson, Larry P; Johnson, Lois Florence;)
 Johnson, Stephonie J; Kahn, Joan M; Kahn, Richard H; Kern,)
 12 Carol M; Kirby, Jeff Homes, Inc.; Kirkpatrick, Melvin Trust;)
 13 Klock, Karen; Knight, Cynthia; Knight, Martin; Lerg, Roy F)
 Family Trust; Lewis, Kenneth; Linebarger, Neal S;)
 14 Linebarger, Patricia A; Long, James M; Long, Rhonda L;)
 Mason, Edward L; Mason, Jo-An P; McCammond, Wade Brian;)
 15 McCammond, Crystal R; McClure, Daniel M; McClure, Rachel)
 16 M Holbrook-; McGaughey, Kenneth L; McGaughey, Lois Y;)
 17 McNeil, Alvin H; Meza, Bernardino; Meza, Ignacio; Miller,)
 Suzanne; Mills, Robert Clifford; Mizer, Matthew C; Moon,)
 18 Victoria; Oelschlager, Dorothy Trust; Ogden, Larry Jr.; Olson,)
 19 Alan R; Olson, Diane G; Pangburn, Linda J; Pannozzo, Joy M;)
 Pannozzo, Stephen C; Pederson, Wayne A; Perez, Daniel E;)
 20 Perez, Melinda; Post, Delores; Rees Trust dtd 4-14-03; Reese,)
 Oscar N Family Trust; Reiland, Rex W Trust; Reneau, Jack;)
 21 Roberts, J & S Trust dtd 2-26-96; Roeder Family Trust dtd)
 22 March 5, 2004; Rogers, Douglas H; Rogers, Julie A; Rycroft,)
 George E; Rycroft, Patricia A; Sanford, Bruce K; Sanford,)
 23 Lynda L; Sarkisian, Joanne; Sarkisian, John G; Savage, Henry)
 24 L, Jr.; Savage, Laura; Shorter Jerry W; Shorter, Judith L;)
 Singleton, James M; Singleton, Leah; Smith, 2003 DN Family)
 25 Trust; Smith Valley Enterprises, Ltd.; Smith Valley Methodist)
 26 Church; Stearns, Martin D; Stearns, Monique; Sterling Trust)
 Company; Talbott, Larry F; Talbott, Sherry L; TAM Properties,)
 27 Inc.; Taplin, James E; Taplin, Michele; Thomas, Robert C and)
 28 Janice 2004 Trust Agreement; Thompson, Andrew E; Thompson,)
 Dale W; Thompson, Edith O; Thompson, Priscilla J; Tibbals,)

Brock; Tibbals, Lisa; Tippetts, Ruth A; Tippetts, Thomas D;)
 1 Tran, James R; Trute, M Kathy; Turnage, Robert; Tyson, Kim E;))
 2 Upton, Russell Wayne, Sr.; Upton, Sherry Manning; Valim,)
 Catherine M; Van Dusen, Denise C; Veil, Bryan R; Veil, Leila)
 3 C; Venables, Charles N; Veterans, Tammy Jean; Vidal, Frances)
 R; Vidal, T Michael; Voss, Audrey J; Wachtel, Emil Joseph;)
 4 Walsh, Heleria M Smith-; Walsh, James J; Walter Living Trust;)
 5 Warzynski, Deborah A; Warzynski, Robert R; Watson, Troy)
 Allen; Wellock, Tammy L; Wellock, William S; Welsh, Barton)
 6 W; Welsh, Olivia W; Wenzel, Agnes M; Wertz, Anna L;)
 7 Wertz, Donald R, Sr.; West, Cheryle A; West, Robert W, Jr.;)
 Whipple Family 2001 Trust; Whitlock 2002 Trust; Wilkins,)
 8 Colin; Wilkins, Gale; Wilkinson, Gary and Roni Living Trust;)
 9 Williams, A Harvey; Williams, John Cameron; Wilson,)
 Patricia Ann; Wilson, Woodrow G; Wood, Aloha; Wood,)
 10 Marty Dale; Wood, Vince.)
 11)
 12)
 13)

Counterdefendants,)
 14 All known Claimants to Groundwater and Water of the)
 Walker River and its Tributaries in the State of Nevada)
 15 and the State of California.)
 16)

Complete Caption to be Served at a Later Date)
 17)
 18)
 19)
 20)
 21)
 22)
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 25)
 26)
 27)
 28)

**FIRST AMENDED COUNTERCLAIM OF THE
WALKER RIVER PAIUTE TRIBE**

In its order of October 30, 1992, (document #15) the Court found that the counterclaim filed by the Walker River Paiute Tribe ("Tribe") (document #1) on March 18, 1992, against the Walker River Irrigation District ("WRID") should have been filed as a cross-claim since the Tribe and the WRID were co-plaintiffs with regard to their assertions against the California State Water Resources Control Board. However, the Court also determined that the designation given by the Tribe would remain. In light of the Court's order, the Tribe files this first amended counterclaim as follows:

INTRODUCTION

1. This first amended counterclaim is for the recognition of a right to store water in Weber Reservoir for use on the lands of the Walker River Indian Reservation ("Reservation"), including the lands restored to the Reservation in 1936. Such rights are in addition to the rights to use water from the Walker River awarded to the United States for the benefit of the Tribe in United States v. Walker River Irrigation Dist., In Equity No. C-125 (D. Nev. 1936), as amended by, *Stipulation and Agreement for Entry of Amended Final Decree Pursuant to Writ of Mandate of the Circuit Court of Appeals - Ninth Circuit - and also Amended Decree entered herein on April 15, 1936 to Clarify Certain Provisions Thereof*, approved by, *Order for Entry of Amended Final Decree to Conform to Writ of Mandate, etc.*, United States v. Walker River Irrigation Dist., In Equity No. C-125 (D. Nev. 1940) ("Final Decree").

2. This first amended counterclaim is also for recognition of a right reserved under federal law to use surface water from the Walker River on the lands restored to the

1 Reservation in 1936. Such rights are in addition to the rights to use water from the Walker
2 River awarded to the United States for the benefit of the Tribe in the Final Decree.
3

4 3. This first amended counterclaim is also for recognition of a right reserved under
5 federal law to use groundwater underlying and adjacent to the lands of the Reservation,
6 including groundwater underlying and adjacent to the lands restored to the Reservation in
7 1936, on the lands of the Reservation, including the lands restored to the Reservation in 1936.
8 Such rights are in addition to the rights to use water from the Walker River awarded to the
9 United States for the benefit of the Tribe in the Final Decree.
10

11 JURISDICTION

12 4. Jurisdiction over this first amended counterclaim is pursuant to: a) the
13 continuing jurisdiction of the Court over the waters of Walker River and its tributaries in
14 California and Nevada, Final Decree ¶ XIV; b) 28 U.S.C. § 1331, in that this counterclaim
15 arises under the Constitution, laws or treaties of the United States; c) 28 U.S.C. § 1362, in
16 that this counterclaim is brought by the Tribe and arises under the Constitution, laws or
17 treaties of the United States; d) 28 U.S.C. § 1367 which vests the Court with supplemental
18 jurisdiction; and e) 28 U.S.C. § 1651 which authorizes the Court to issue all writs necessary
19 or appropriate in aid of its jurisdiction.
20
21
22

23 PARTIES

24 5. The Tribe is a federally-recognized Indian Tribe organized under the Indian
25 Reorganization Act, 25 U.S.C. §§ 461, 462, 463, 464, 465, 466-470, 471, 472, 473, 474,
26 475, 476-478, 479. The Reservation was established in 1859 with a land base of
27 approximately 320,000 acres. Certain lands which were originally a part of the Reservation
28

1 were restored to the Reservation on September 25, 1936, pursuant to the Act of June 22, 1936,
2 49 Stat. 1806-07.

3
4 6. Counterdefendants are the WRID, the State of Nevada, and all claimants to the
5 waters of the Walker River and its tributaries, including groundwater.

6
7 GENERAL ALLEGATIONS

8 7. The Tribe currently is entitled to use 26.25 cubic feet per second from the
9 Walker River and its tributaries, with a priority date of November 29, 1859, to irrigate 2,100
10 acres of land on the Reservation as it existed before September 25, 1936. Final Decree 11.

11 8. Subsequent to April 14, 1936, numerous persons and other entities, including
12 the United States, have appropriated additional waters from the Walker River Basin and its
13 tributaries. In many instances, such claims to the use of water have not been subject to any
14 adjudicative process.

15
16 9. Weber Reservoir is a federally-constructed reservoir located on the Reservation
17 with a storage capacity of approximately 13,000 acre feet. Portions of the reservoir were
18 completed in 1935, and floodgates were added in 1937. The Tribe is entitled to store water
19 from the Walker River in Weber Reservoir for all purposes recognized under federal law
20 including but not limited to irrigation, stock watering, fish and wildlife, and domestic uses.

21
22 10. By the use of Weber Reservoir to store water, the Tribe can irrigate more than
23 the 2,100 acres which it is entitled to irrigate under the terms of the Final Decree.

24
25 11. The Tribe's priority date for storage in Weber Reservoir is April 15, 1936. The
26 Tribe claims 13,000 acre feet plus evaporation and seepage.

27 12. The Act of June 22, 1936, 49 Stat. 1806-07, authorized the Secretary of the
28 Interior to set aside certain lands as an addition to the Reservation for the benefit of the Tribe.

1 In accordance with that legislation, by Order dated September 25, 1936, the Secretary restored
2 to the Reservation approximately 167,460 acres.

3
4 13. The Tribe is entitled to use water from the Walker River on the lands restored
5 to the Reservation in 1936 for all purposes recognized under federal law including but not
6 limited to irrigation, stock watering, fish and wildlife, recreation and domestic uses.

7
8 14. The instant suit, commenced by the United States in 1924, was brought to quiet
9 title and only concerned the water rights for use on the Reservation as the boundaries existed at
10 the time the suit was commenced. The suit did not adjudicate the groundwater rights of any of
11 the parties in the litigation.

12
13 15. The Tribe is entitled to use groundwater underlying and adjacent to the lands
14 within the Reservation, including groundwater underlying and adjacent to the lands restored to
15 the Reservation in 1936, for all purposes recognized under federal law including but not
16 limited to irrigation, stock watering, fish and wildlife, recreation and domestic uses.

17
18 16. Paragraph XIV of the Final Decree provides that this Court retains jurisdiction
19 for modification of this decree.

20 FIRST CLAIM FOR RELIEF

21 17. Paragraphs 1-16 are incorporated herein by reference.

22
23 18. The Tribe is entitled to store water from the Walker River in Weber Reservoir
24 for all purposes recognized under federal law. The Tribe's right to store water in Weber
25 Reservoir has a priority date of April 15, 1936.

26 SECOND CLAIM FOR RELIEF

27
28 19. Paragraphs 1-16 are incorporated herein by reference.

1 20. The Tribe is entitled to use water from the Walker River on the lands restored
2 to the Reservation in 1936 for all purposes recognized under federal law.
3

4 **THIRD CLAIM FOR RELIEF**

5 21. Paragraphs 1-16 are incorporated herein by reference.
6

7 22. The Tribe is entitled to use groundwater underlying and adjacent to the lands of
8 the Reservation, including groundwater underlying and adjacent to the lands restored to the
9 Reservation in 1936, for all purposes recognized under federal law with a priority date of
10 November 29, 1859, on the lands of the Reservation including the lands restored to the
11 Reservation in 1936.
12

13 WHEREFORE, the Tribe prays that the Court:

14 1. Pursuant to the jurisdictional bases set forth in Paragraph 4 hereof, reopen and
15 modify the Final Decree to recognize, and declare and quiet title to:

16 A. The right of the Tribe to store water in Weber Reservoir for use on the
17 Reservation including the lands restored to the Reservation in 1936;
18

19 B. The right of the Tribe to use water on the lands restored to the
20 Reservation in 1936;
21

22 C. The right of the Tribe to use groundwater underlying and adjacent to the
23 Reservation on the lands of the Reservation including the lands restored to the Reservation in
24 1936;
25

26 D. The right of the Tribe to use groundwater underlying and adjacent to the
27 lands restored to the Reservation in 1936 on the lands of the Reservation including the lands
28 restored to the Reservation in 1936.

1 2. Declare that the defendants and counterdefendants have no right, title or other
2 interest in or to the use of such water rights.

3 3. Preliminarily and permanently enjoin the defendants and counterdefendants
4 from asserting any adverse rights, title or other interest in or to such water rights.
5

6 4. Grant such other and further relief as it deems proper.
7

8 Dated: 30 July 1997
9

Respectfully submitted,

10 Scott B. McElroy
11 Alice E. Walker
12 GREENE, MEYER & MCELROY, P.C.
13 1007 Pearl Street, Suite 220
14 Boulder, Colorado 80302
15 303/442-2021

16 Kelly R. Chase
17 P.O. Box 2800
18 Minden, Nevada 89423
19 (702) 782-3099

20 By: Alice E. Walker
21 Alice E. Walker

22 *Attorneys for the WALKER RIVER PAIUTE TRIBE*
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CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and correct copy of the foregoing First Amended Counterclaim of the Walker River Paiute Tribe, via U.S. Mail or Overnight Carrier (if so indicated), all charges prepaid thereon, this 30th day of July 1997, addressed to:

Shirley A. Smith
Asst. U.S. Attorney
100 W. Liberty, #600
Reno, NV 89501

Robert L. Hunter, Superintendent
Western Nevada Agency
Bureau of Indian Affairs
1677 Hot Springs Road
Carson City, NV 89706

George Benesch
210 Marsh Avenue, Suite 105
P.O. Box 3498
Reno, NV 89505

R. Michael Turnipseed, P.E.
Division of Water Resources
State of Nevada
123 West Nye Lane
Carson City, NV 89710

Jim Weishaupt, General Manager
Walker River Irrigation District
P.O. Box 820
Yerington, NV 89447

David E. Moser
McCutchen, Doyle, Brown & Enerson
Three Embarcadero Center
San Francisco, CA 94111

James T. Markle
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95814

John P. Lange, Dept. Of Justice
Environment & Natural Resources Division
999 18th Street, Suite 945
Denver, CO 80202

John Kramer
Department of Water Resources
1416 - 9th Street
Sacramento, CA 95814

Roger Johnson
Water Resources Control Board
State of California
P.O. Box 2000
Sacramento, CA 95810

Ross E. deLipkau
Marshall, Hill, Cassas & deLipkau
P.O. Box 2790
Reno, NV 89505

Garry Stone
290 South Arlington Ave.
Reno, NV 89501

Richard R. Greenfield
Field Solicitor's Office
Department of the Interior
2 North Central Avenue, Suite 500
Phoenix, AZ 85004

Linda A. Bowman
499 West Plumb Lane, Ste. 4
Reno, NV 89509

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Marta Adams
Deputy Attorney General
Division of Water Resources
100 N. Carson Street
Carson City, NV 89701-4717

Gordon H. DePaoli
Woodburn and Wedge
P.O. Box 2311
Reno, NV 89501

Mary Hackenbracht
Deputy Attorney General
State of California
2101 Webster Street
Oakland, CA 94612-3049

Roger Bezayiff
Chief Deputy Water Commissioner
U.S. Board of Water Commissioners
P.O. Box 853
Yerington, NV 89447

Treva Hearne
Jim Spoo
Zeh, Polaha, Spoo & Hearne
575 Forest Street
Reno, NV 89509

Robert C. Anderson and Timothy Lukas
Hale, Lane, Peek, Dennison, Howard
Anderson & Pearl
P.O. Box 3237
Reno, NV 89505

Donald B. Gilbert
DeCUIR & SOMACH, P.C.
400 Capitol Mall, Suite 1900
Sacramento, California 95814-4407

Larry Reynolds
Deputy Attorney General
State Engineer's Office
123 W. Nye Lane
Carson City, NV 89710

John Davis
P.O. Box 1646
Tonopah, NV 89049

Maya Jones

FILED
July 9, 2003
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

THOMAS S. WILSON
CLERK
BY: [Signature]
DEPUTY
IN EQUITY, NO. C-125
SUBFILE NO. C-125-B

UNITED STATES OF AMERICA,

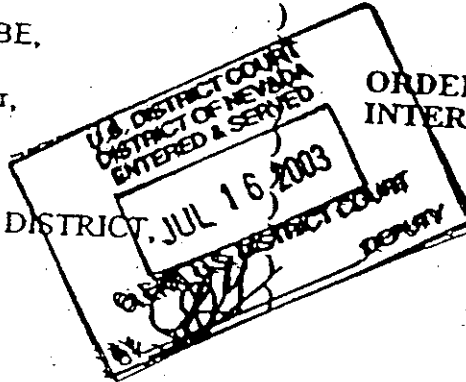
Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,



ORDER - DISCLAIMER OF
INTEREST

The following background information is provided to aid in understanding the reasons for and what is required by this Order.

1. The Court has ordered that certain persons and entities be included as parties in this action because they own water rights within one or more of the nine categories set forth in Paragraph 3 of the Court's April 18, 2000 Case Management Order.

2. It is possible that some of the specific persons or entities who are served with a Waiver of Service of Notice in Lieu of Summons, Notice of Lawsuit, or a Notice in Lieu of Summons do not belong in this action, because, for example, they may have sold or otherwise conveyed the ownership of all water rights subject to this action prior to being served.

3. A change in ownership of a water right can occur in a number of ways and for a variety of reasons. Often a change in ownership of a water right occurs when ownership of the land on which the water is used changes. A change in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or business planning decisions, such as conveyance to an inter vivos trust or a limited liability company. Frequently, changes in ownership are accomplished by a deed. However, in an estate or divorce proceeding, they may be accomplished by an order of a court. These examples are not an exclusive list of all of the

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ways in which a change in ownership may occur.

4. It is important that the Court and the Plaintiffs be notified if a person or entity who receives service by mail or personal service does not, in fact, have any ownership interest in a water right in any of the nine categories set forth in Paragraph 3 of the Court's April 18, 2000 Case Management Order. In addition, that person or entity need not be burdened with this litigation and, if there was a change in ownership, a new party may need to be added to the action. Before any such person may be omitted from this action, certain information and documents will have to be provided to the Plaintiffs and the Court.

Based upon the foregoing, it is hereby ORDERED as follows:

1. If any person or entity receiving service by mail or personal service has no interest in any water right within any of the nine categories set forth in Paragraph 3 of the Case Management Order (Apr. 18, 2000)¹, that person or entity shall notify the Court and the

You should review the *Case Management Order* and *First Amended Counterclaims* filed by the United States and by the Walker River Paiute Tribe, which are included in the materials served upon you. For convenience, the nine categories of persons and entities that the Court has ordered to be served and named are listed here:

1. Category 3.a.: The successors in interest to all water rights holders under the Decree (April 14, 1936), modified, Order of Entry of Amended Final Decree to Conform to Writ of Mandate, Etc. (April 24, 1940) ("Decree").
2. Category 3.b.: All holders of surface water rights under the laws of the States of Nevada and California in the Walker River Basin who are not presently parties to this adjudication.
3. Category 3.c.: All holders of permits or certificates to pump groundwater issued by the State of Nevada and domestic users of groundwater within Sub Basins 107 (Smith Valley), 108 (Mason Valley), 110A (Schurz Subarea of the Walker Lake Valley), and 110B (Walker Lake Subarea of the Walker Lake Valley).
4. Category 3.d.: All holders of permits or certificates to pump groundwater issued by the State of Nevada within Sub Basins 106 (Antelope Valley), 109 (East Walker), and 110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater Basin).
5. Category 3.e.: All users of groundwater for irrigation in California in the Walker River Basin.

1 United States in writing of that fact.

2 2. If such person or entity sold or otherwise conveyed ownership of all of the water
3 rights that the person or entity once owned before they were served or otherwise brought into
4 this action, in addition to disclaiming any interest in this action, they shall include a notice
5 providing the following information:

- 6 A. The name and address of the person or entity who sold or otherwise
7 conveyed ownership;
8 B. The name and address of each person or entity who acquired ownership;
9 and
10 C. A copy of the deed, court order or other document by which the change
11 in ownership was accomplished.

12 3. The disclaimer and notice shall be sent to the Court and counsel for the United
13 States, addressed as follows:

14 Linda Lea Sharer, Chief Deputy Clerk
15 United States District Court for the District of Nevada
16 400 South Virginia Street, Suite 301
17 Reno, NV 895501

18 Susan L. Schneider
19 United States Department of Justice
20 P.O. Box 756
21 Littleton, CO 80160

22 4. The form and substance of the disclaimer and notice shall substantially conform
23 to the form attached to this Order as Exhibit A.

24 5. Following their receipt from any person or entity disclaiming any interest in any

25 6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws
26 of the State of Nevada within the Walker River Basin.

27 7. Category 3.g.: All municipal providers in Nevada within the Walker River Basin
28 who currently use groundwater.

8. Category 3.h.: All municipal providers in California within the Walker River Basin
who currently use groundwater.

9. Category 3.i.: All industrial users in Nevada within the Walker River Basin who
currently use groundwater.

1 of the water rights at issue in this case of a Waiver of Service of Notice in Lieu of Summons
2 and any Disclaimers of Interest and accompanying information and documents sought by this
3 Order, Plaintiffs will review the materials received and, if appropriate, seek the Court's
4 concurrence in omitting that person or entity filing such materials from this case.

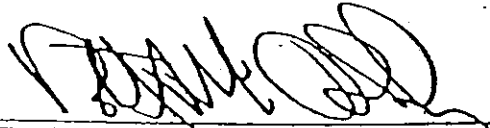
5 6. If Plaintiffs do not receive a Waiver of Service of Notice in Lieu of Summons
6 and must personally serve a person or entity that subsequently files a Disclaimer of Interest
7 pursuant to this Order, Plaintiffs will also review the materials received and, if appropriate,
8 seek the Court's concurrence in omitting the person or entity from this case, but that person or
9 entity may be subject to paying the costs related to formal personal service on them.

10 7. Despite the above provisions, any person or entity who files a Disclaimer of
11 Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
12 any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to
13 this litigation, shall nevertheless be bound by the results of this litigation.

14 8. Any person or entity subject to service under the Federal Rules of Civil
15 Procedure who receives notice of this action in the manner provided by Federal Rule of Civil
16 Procedure 4(d) remains subject to the duty to avoid unnecessary costs of serving the summons,
17 even if that person or entity ultimately disclaims any ownership interest in any of the water
18 rights described by Paragraph 3 of the Court's April 18, 2000 Case Management Order.

19 IT IS SO ORDERED:

20 Dated: July 9, 2003.

21
22 
23 The Honorable Robert A. McQuaid, Jr.
24 United States District Court Magistrate Judge
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26
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

In Equity No. C-125-ECR

Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

**DISCLAIMER OF INTEREST IN
WATER RIGHTS AND NOTICE OF
RELATED INFORMATION AND
DOCUMENTATION SUPPORTING
DISCLAIMER**

v.

WALKER RIVER IRRIGATION
DISTRICT,

a corporation, et al.,

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has no interest in any water right within the categories set forth in Paragraph 3 of the *Case Management Order* (Apr. 18, 2000) and, therefore, disclaims all interest in this action.

This disclaimer and notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

In addition, because the undersigned sold or otherwise conveyed ownership of all of the

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed
6 ownership:

7 Name(s):

8
9 Street or P.O. Box:

10
11 Town or City:

12
13 State:

14
15 Zip Code:

16 2. The name and address of each person or entity who acquired ownership

17
18 Name(s):

19
20 Street or P.O. Box:

21
22 Town or City:

23
24 State:

25
26 Zip Code:

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☐ Deed
☐ Court Order
☐ Other Document.

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Disclaimer of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of this litigation.

Executed this _____ day of _____ 200__.

[signature of counter-defendant]

[name of counter-defendant]

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[name, if applicable, of person acting on
behalf of counter-defendant]

[signature, if applicable, of person acting on
behalf of Counter-Defendant]

[address]

[telephone number]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

FILED
33 JUL -9 PM 3:03

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

IN EQUITY NO. CV-125-ECR

SUBFILE NO. C-125-B

ORDER REGARDING
CHANGES IN OWNERSHIP
OF WATER RIGHTS

U.S. DISTRICT COURT
DISTRICT OF NEVADA
ENTERED & SERVED
JUL 16 2003

CLERK U.S. DISTRICT COURT
BY

The following background information is provided to aid in understanding the reasons for and what is required by this Order:

1. The Court has ordered that certain persons and entities be included as parties to this action because they own water rights within one or more of the nine categories set forth in Paragraph 3 of the Court's *Case Management Order* (Apr. 18, 2000).

2. During the course of this action, it is possible that a party will sell or otherwise convey ownership of all or a portion of the water rights which that party owned when brought into this action by a Waiver of Service of Notice in Lieu of Summons or by service of a Notice in Lieu of Summons.

3. A change in ownership of a water right or a portion of a water right can occur in a number of ways and for a variety of reasons. Often a change in ownership of a water right occurs when ownership of some or all of the land on which the water is used changes. A change in ownership may involve a sale, a gift, a death or even a divorce. It may also involve estate or business planning decisions such as conveyance to an intervivos trust or a limited liability company. Frequently changes in ownership are accomplished by a deed. However, in an estate or divorce proceeding they may be accomplished by an order of a court. These examples are not

207.

1 a exclusive list of all of the ways in which a change in ownership may occur.

2 4. It is important that the Court and the Plaintiffs be notified of changes in the
3 ownership of water rights while this action is pending because among other things, a change in
4 ownership may require that a new party be included in the action, or that a present party be
5 dismissed or both.

6 Based upon the foregoing it is hereby ORDERED as follows:

7 1. If a party to this action sells or otherwise conveys ownership of all or a portion of
8 any water right within any of the nine categories set forth in Paragraph 3 of the *Case*
9 *Management Order* (Apr. 18, 2000)¹, that party shall, within sixty days after any such change in

10

11 2/ You should review the *Case Management Order* and *First Amended Counterclaims* filed by
12 the United States and by the Walker River Paiute Tribe, which are included in the materials served
13 upon you. For convenience, the nine categories of persons and entities that the Court has ordered
to be served and named are listed here:

- 14 1. Category 3.a.: The successors in interest to all water rights holders under the Decree
15 (April 14, 1936), modified, Order of Entry of Amended Final Decree to Conform to
Writ of Mandate, Etc. (April 24, 1940) ("Decree").
- 16 2. Category 3.b.: All holders of surface water rights under the laws of the States of
17 Nevada and California in the Walker River Basin who are not presently parties to this
adjudication.
- 18 3. Category 3.c.: All holders of permits or certificates to pump groundwater issued by
19 the State of Nevada and domestic users of groundwater within Sub Basins 107
(Smith Valley), 108 (Mason Valley), 110A (Schurz Subarea of the Walker Lake
Valley), and 110B (Walker Lake Subarea of the Walker Lake Valley).
- 20 4. Category 3.d.: All holders of permits or certificates to pump groundwater issued by
21 the State of Nevada within Sub Basins 106 (Antelope Valley), and 109 (East
Walker), and 110C (Whiskey Flat-Hawthorne Subarea of Walker Lake Groundwater
Basin).
- 22 5. Category 3.e.: All users of groundwater for irrigation in California in the Walker
River Basin.
- 23 6. Category 3.f.: All holders of "vested rights" to the use of groundwater under the laws
24 of the State of Nevada within the Walker River Basin.
- 25 7. Category 3.g.: All municipal providers in Nevada within the Walker River Basin who
currently use groundwater.
- 26 8. Category 3.h.: All municipal providers in California within the Walker River Basin
who currently use groundwater.
- 27 9. Category 3.i.: All industrial users in Nevada within the Walker River Basin who
currently use groundwater.

ownership, notify the Court and the United States of the change in ownership.

2. The notice required by this Order shall provide the following information:

- A. The name and address of the party who sold or otherwise conveyed ownership;
- B. The name and address of each person or entity who acquired ownership; and
- C. A copy of the deed, court order or other document by which the change in ownership was accomplished.

3. The notice shall be sent to the Court and counsel for the United States addressed as follows:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501


Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

4. The form and substance of the notice shall substantially conform to the form of notice attached to this order as Exhibit A.

5. Any person or entity who files a Notice of Change of Ownership of Water Right using the attached form or provides information for this purpose by other means is ultimately responsible for the accuracy of this filing. Consequently, any person or entity who files such a notice regarding water rights subject to this litigation, but retains such water rights, shall nevertheless be bound by the results of this litigation.

IT IS SO ORDERED:

Dated: July 9, 2003.


The Honorable Robert A. McQuaid, Jr.
United States District Court Magistrate Judge

Town or City State ZipCode

2. The name and address of each person or entity who acquired ownership

Name(s)

Street or P.O. Box

Town or City State ZipCode

3. Attached to or included with this notice is a copy of the (check appropriate box(es)):

- ☐ Deed
☐ Court Order
☐ Other Document

by which the change in ownership was accomplished.

4. The undersigned acknowledges that any person or entity who files a Notice of Change of Ownership of Water Right using this form is ultimately responsible for the accuracy of this filing. Consequently, the undersigned acknowledges that any person or entity who files

This notice shall be sent to the following two persons:

Linda Lea Sharer, Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301
Reno, NV 89501

And

Susan L. Schneider
United States Department of Justice
P.O. Box 756
Littleton, CO 80160

such a notice, but retains such water rights, shall nevertheless, be bound by the results of this litigation.

Executed this _____ day of _____ 200__.

[signature of counter-defendant]

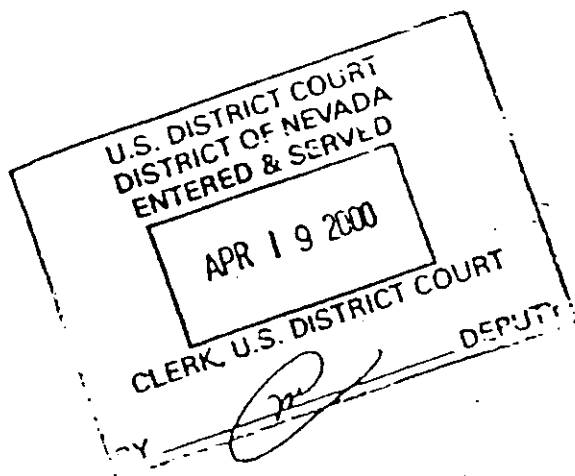
[name of counter-defendant]

[signature, if applicable, of person acting on behalf of counter-defendant]

[name, if applicable, of person acting on behalf of counter-defendant]

[address]

[telephone number]



FILED
MAR 19 PM 3:19
BY: [illegible]
CLERK

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 WALKER RIVER PAIUTE TRIBE,
13 Plaintiff-Intervenor,

14 vs.

15 WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

16 Defendants.

17
18 UNITED STATES OF AMERICA,
WALKER RIVER PAIUTE TRIBE,

19 Counterclaimants,

20 v.

21 WALKER RIVER IRRIGATION DISTRICT,
22 et al.,

23 Counterdefendants.

In Equity No. C-125-ECR
Subfile No. C-125-B -

CASE MANAGEMENT ORDER

24 The enormity and complexity of the issues pending with
25 respect to the First Amended counterclaims filed by the United
26 States and the Walker River Paiute Tribe certainly suggest that

1 some sort of bifurcation would be helpful in processing the action.
2 Any such bifurcation may involve some duplication of work in
3 relation to subsequent phases of the case. There does not seem to
4 be any way to entirely avoid duplication, but we should endeavor to
5 do so to the extent that we can. Another major concern is whether
6 persons litigating in later phases of the case may find themselves
7 prejudiced by being bound by decisions and adjudications in earlier
8 phases where they did not participate. This, too, we should
9 endeavor to avoid.

10 Without bifurcation of some sort, the case may simply be
11 too big and too complex to process on a reasonable basis.

12 Having determined that some sort of bifurcation is
13 desirable and necessary, we conclude that, in general terms, the
14 proposal of the U.S./Tribe to bifurcate the "Tribal Claims" is as
15 good and logical a basis for dividing the case as has been
16 suggested or can be devised.

17 While many of the defenses to the claims of the
18 U.S./Tribe claims for the Walker River Paiute Indian Reservation
19 may be the same or similar to the defenses that may be offered with
20 respect to the remaining claims of the U.S. for other Indian
21 reservations and lands and federal enclaves and federal lands, each
22 of the remaining claims appears to require development of a
23 distinctly different factual scenario, as well as specific legal
24 basis. This presents one good reason to bifurcate as suggested by
25 the U.S./Tribe. Exactly how the defenses which overlap the claims
26 for the Walker River Paiute Indian Reservation will play out as to

1 each of the other separate claims is uncertain and adds
2 justification for the proposed bifurcation.

3 In the order that follows, we have expanded the
4 categories of water rights holders to be served with process
5 somewhat beyond the categories suggested by the U.S./Tribe in their
6 proposed case management order, but have not included all such
7 categories as have been suggested by the Walker River Irrigation
8 District and States of Nevada and California.

9 The categories to be served with process may be subject
10 to adjustment and modification by order of the Magistrate Judge as
11 he may find to be appropriate. However, we note that we have
12 limited domestic users to be served with process to those whom, it
13 appears, might be affected by pumping of underground water on the
14 Walker River Paiute Indian Reservation. If it is shown that other
15 domestic users could be affected by such pumping or that the
16 underground and surface water constitute a single hydrological
17 system where an earlier priority for the tribe for surface or
18 underground waters could affect the rights of other domestic users,
19 the Magistrate Judge should make an order expanding the category of
20 domestic users who are required to be served with process.

21 We have also expanded the categories of water rights
22 holders who have permits to pump groundwater issued by the State of
23 Nevada and who are required to be served with process to additional
24 Sub Basins in Nevada. This has been done because of the claim that
25 underground and surface waters constitute a single source.
26

1 These additional categories are also subject to
2 modification by the Magistrate Judge on the same basis as noted
3 above.

4 With the conclusion that the Tribal claims should be
5 bifurcated in mind, we then endeavor to devise a case management
6 order to provide for such bifurcation, taking into account the
7 companion considerations noted above.

8 IT IS, THEREFORE, HEREBY ORDERED that:

9 (1) The claims of the Tribe contained in the First
10 Amended Counterclaim of the Tribe and the claims of the U.S. on
11 behalf of the Tribe (First, Second, and Third Claims for Relief)
12 set forth in the First Amended Counterclaim of the U.S. are hereby
13 bifurcated from all other claims raised by the U.S. in its
14 pleading. The bifurcated claims are sometimes referred to herein
15 as the "Tribal Claims." Reference to the U.S./Tribe below refers
16 separately to the United States and its said claims, set forth in
17 its First Amended Counterclaim in behalf of the Tribe and to the
18 Walker River Paiute Tribe and its claims set forth in its First
19 Amended counterclaim.

20 (2) The Tribal Claims shall proceed as described in this
21 Case Management Order. All discovery and all other proceedings in
22 this action included in or in connection with the said First
23 Amended Counterclaims are stayed, until the further order of the
24 court, and except as provided in this order.

25 SERVICE OF PROCESS AND FILING OF LIS PENDENS
26

1 (3) Prior to the resolution of the Threshold issues
2 identified below, the U.S./Tribe shall effect service of their
3 respective First Amended Counterclaims, notices in lieu of summons,
4 requests for waiver of service, and the within Case Management
5 Order on all of the members of the categories of water rights
6 holders described below. Each of the members of each said category
7 shall be named as a Counterdefendant in this case.

8 (a) The successors in interest to all water rights
9 holders under the Decree (April 14, 1936), modified, Order for
10 Entry of Amended Final Decree to Conform to Writ of Mandate,
11 Etc. (April 24, 1940) ("1936" Decree).

12 (b) All holders of surface water rights under the laws
13 of the States of Nevada and California in the Walker River
14 Basin who are not presently parties to this adjudication.

15 (c) All holders of permits or certificates to pump
16 groundwater issued by the State of Nevada and domestic users
17 of groundwater within Sub Basins 107 (Smith Valley), 108
18 (Mason Valley), 110A (Schurz Subarea of the Walker Lake
19 Valley), and 110B (Walker Lake Subarea of the Walker Lake
20 Valley).

21 (d) All holders of permits or certificates to pump
22 groundwater issued by the State of Nevada within Sub Basins
23 106 (Antelope Valley), 109 (East Walker), and 110C (Whiskey
24 Flat-Hawthorne Subarea of Walker Lake Groundwater Basin).

25 (e) All users of groundwater for irrigation in
26 California. IN THE WALKER RIVER BASIN.

1 (f) All holders of "vested rights" to the use of
2 groundwater under the laws of the State of Nevada within the
3 Walker River Basin.

4 (g) All municipal providers in Nevada within the Walker
5 River Basin who currently use groundwater.

6 (h) All municipal providers in California within the
7 Walker River Basin who currently use groundwater.

8 (i) All industrial users in Nevada within the Walker
9 River Basin who currently use groundwater.

10 (4) Subject to the requirements of this order, within 60
11 days of entry of this Case Management Order the parties shall file
12 an agreed-upon Notice in Lieu of Summons for the Tribal Claims and
13 agreement upon procedures for recording Lis Pendens to the
14 Magistrate Judge for his consideration and approval. To the extent
15 the parties cannot agree on any of these issues they shall, within
16 said period of time, file their own proposals regarding such issues
17 for consideration and decision by the Magistrate Judge. Procedures
18 for recording of Notices of Lis Pendens will be determined by the
19 Magistrate Judge by order.

20 (5) To the extent the U.S. and the Tribe cannot effect
21 service or obtain a waiver of service from all the individual
22 members of the categories of water rights holders and users listed
23 above, and all other claimants to surface and groundwater rights
24 not identified or who are unknown, the U.S./Tribe may move for
25 publication of summons consistent with Fed. R. Civ. P. 4 and the
26 laws and rules applicable for Nevada and California respectively to

1 the extent they are to be used according to Fed. R. Civ. P. 4. The
2 Magistrate Judge shall consider any such motion and rule on the
3 same so as to grant or deny such motion for publication in whole or
4 in part.

5 (6) The Magistrate Judge shall establish a schedule for
6 completion of service of process which may be modified by further
7 order from time to time as appropriate.

8 The Magistrate Judge is authorized to consider and decide
9 all issues which may arise pertaining to service of process.

10 (7) The Magistrate Judge shall conduct all necessary
11 proceedings and shall decide how the information shall be obtained
12 by the U.S./Tribe to enable them to identify the individuals and
13 entities with claims to surface water and/or groundwater in the
14 Walker River Basin who are the appropriate counterdefendants to the
15 U.S./Tribe said counterclaims. The Magistrate Judge shall
16 determine the responsibilities of the respective parties to provide
17 such information and at whose cost. Such information may be
18 ordered obtained through orders devised by the court or discovery
19 or other processes, so that the litigation may proceed in a
20 reasonable manner.

21 In this connection, the Magistrate Judge shall also
22 consider and determine how, when, and at whose cost information
23 regarding changes or modification in the individuals or entities
24 with such water rights claims shall be provided as between the
25 parties and the entities which receive information respecting any
26

1 such changes, until service of process is complete on the
2 counterclaims.

3 (8) The U.S./Tribe may seek costs of service pursuant to
4 the requirement of Fed. R. Civ. P. 4(d) during their service
5 efforts under this Case Management Order.

6 (9) After the U.S./Tribe have received the information
7 and compiled the list of parties whom they intend to serve, that
8 list and a description of the procedures by which it was compiled
9 shall be filed and provided to the parties who shall have such
10 period of time as the Magistrate Judge shall determine to file
11 objections indicating whether the list is complete and includes all
12 such water rights claimants within the categories described in
13 paragraph (3) above who can reasonably be identified. The
14 Magistrate Judge shall consider and rule on all such objections.
15 Corrections to the list of intended parties may be made during the
16 period of the service of process upon appropriate notice and
17 approval of the Magistrate Judge.

18 Scheduling, Case Management

19 (10) Following completion of service of process on the
20 said counterclaims, the Magistrate Judge shall receive
21 recommendations of the parties for procedures for scheduling and
22 for the efficient management of the litigation given the number of
23 parties to the case. Such procedures may include the use of common
24 counsel, special procedures for service of pleadings, or any other
25 mechanisms deemed likely to reduce the burdens on the parties and
26 the court in a case of this magnitude. The Magistrate Judge shall

1 consider and make all appropriate rulings with respect to these
2 matters.

3 Threshold Issues Relative to Tribal Claims

4 (11) As soon as convenient after the entry of this order,
5 and upon appropriate notice to the parties presently appearing in
6 the case, the Magistrate Judge shall consider and make a
7 preliminary determination of the threshold issues to be addressed
8 at the outset of the litigation on the U.S./Tribe said
9 counterclaims. Scheduling of such consideration shall go forward
10 notwithstanding other proceedings provided for in this order. The
11 list of threshold issues regarding said claims will not be finally
12 resolved and settled by the Magistrate Judge until all appropriate
13 parties are joined. Nevertheless, the parties are directed to
14 identify all potential threshold issues promptly and to submit them
15 to the Magistrate Judge for consideration, as he shall direct, so
16 that action may proceed as promptly as possible upon conclusion of
17 service of process. In general, threshold issues, among others,
18 shall address jurisdiction, claim, preclusion, applicable law,
19 equitable and other defenses which may be raised by any party.

20 Among others, the Magistrate Judge shall consider
21 inclusion in the list of threshold issues to the resolution of the
22 said Tribal Claims to be addressed at the outset of the litigation:

23 (a) Whether this court has jurisdiction to adjudicate
24 the said Tribal Claims. If so, to what extent should the
25 court exercise its jurisdiction in these matters. In this
26 connection, what is the scope of this court's subject matter

1 jurisdiction to adjudicate the Tribal Claims to groundwater,
2 as well as to additional surface waters?

3 (b) Does federal law govern the pumping of groundwater
4 on the Walker Lake Paiute Indian Reservation by the Tribe or
5 the U.S. on its behalf?

6 (c) If the Tribe has the right to pump groundwater under
7 federal law, are such rights, as a matter of federal law,
8 subject to different protections than those provided by State
9 law?

10 (d) Whether the court has jurisdiction over groundwater
11 used pursuant to State law outside the exterior boundaries of
12 the Walker River Paiute Indian Reservation if such use
13 interferes with the Tribe's rights under federal law to use
14 water from the Walker River system. If so, should the court
15 exercise that jurisdiction?

16 (e) Whether equitable defenses bar some or all of the
17 said Tribal Claims. Within such time as shall be fixed by the
18 Magistrate Judge the parties now or hereafter appearing in the
19 case shall file for consideration by the Magistrate Judge a
20 statement as to any defenses or issues they intend to assert.

21
22 (f) Whether, regardless of the extent of hydrologic
23 connection between surface and groundwater, this court is
24 required to accept the distinction drawn between surface water
25 rights and groundwater rights provided by California and
26 Nevada law.

1 (g) Are the holders of surface water rights established
2 under federal law entitled to protection from the use of
3 groundwater beyond the protection provided to holders of
4 surface water rights established under state law.

5 (h) If the only jurisdiction of this court with respect
6 to groundwater issues is to protect surface water rights
7 established under federal law from interference by junior
8 groundwater users, must the issues of interference be decided
9 as a part of the adjudication of federal surface water claims.

10 Phasing of Proceedings

11 (12) Pretrial proceedings in this case with respect to
12 the Tribal Claims shall be conducted in multiple phases as follows:

13
14 (a) Phase I of the proceedings shall consist of the
15 threshold issues as identified and determined by the
16 Magistrate Judge.

17 (b) Phase II will involve completion and determination
18 on the merits of all matters relating to the said Tribal
19 Claims.

20 A Scheduling Order shall be entered by the Magistrate
21 Judge, in accordance with this order, and such other
22 appropriate matters as he shall consider necessary to provide
23 for completion of consideration of Phases I, II, and
24 subsequent phases in the case.

25 (c) Additional phases of the proceedings shall encompass
26 all remaining issues in the case. Such phases shall be